

SENATE AMENDMENTS

2nd Printing

By: Leach

H.B. No. 4595

A BILL TO BE ENTITLED

1 AN ACT

2 relating to nonsubstantive additions to, revisions of, and
3 corrections in enacted codes and to the nonsubstantive codification
4 or disposition of various laws omitted from enacted codes.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 ARTICLE 1. GENERAL PROVISIONS

7 SECTION 1.001. This Act is enacted as part of the state's
8 continuing statutory revision program under Chapter 323,
9 Government Code. This Act is a revision for purposes of Section 43,
10 Article III, Texas Constitution, and has the purposes of:

11 (1) codifying without substantive change or providing
12 for other appropriate disposition of various statutes that were
13 omitted from enacted codes;

14 (2) revising without substantive change provisions in
15 enacted codes;

16 (3) making necessary corrections to enacted codes; and

17 (4) renumbering or otherwise redesignating titles,
18 chapters, and sections of codes that duplicate title, chapter, or
19 section designations.

20 SECTION 1.002. (a) The repeal of a statute by this Act does
21 not affect an amendment, revision, or reenactment of the statute by
22 the 88th Legislature, Regular Session, 2023. The amendment,
23 revision, or reenactment is preserved and given effect as part of
24 the code provision that revised the statute so amended, revised, or

1 reenacted.

2 (b) If any provision of this Act conflicts with a statute
3 enacted by the 88th Legislature, Regular Session, 2023, the statute
4 controls.

5 SECTION 1.003. (a) A transition or saving provision of a
6 law codified by this Act applies to the codified law to the same
7 extent as it applied to the original law.

8 (b) The repeal of a transition or saving provision by this
9 Act does not affect the application of the provision to the codified
10 law.

11 (c) In this section, "transition provision" includes any
12 temporary provision providing for a special situation in the
13 transition period between the existing law and the establishment or
14 implementation of the new law.

15 SECTION 1.004. (a) The repeal of a law, including a
16 validating law, by this Act does not remove, void, or otherwise
17 affect in any manner a validation under the repealed law. The
18 validation is preserved and continues to have the same effect that
19 it would have if the law were not repealed.

20 (b) Subsection (a) of this section does not diminish the
21 saving provisions prescribed by Section 311.031, Government Code.

22 ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

23 SECTION 2.001. Section 5.10(c), Alcoholic Beverage Code, is
24 amended to conform to Chapter 269 (H.B. 752), Acts of the 73rd
25 Legislature, Regular Session, 1993, to read as follows:

26 (c) The administrator or the administrator's designee shall
27 prepare and maintain a written policy statement to assure

1 implementation of a program of equal employment opportunity under
2 which all personnel transactions are made without regard to race,
3 color, disability, sex, religion, age, or national origin. The
4 policy statement must include:

5 (1) personnel policies, including policies relating
6 to recruitment, evaluation, selection, appointment, training, and
7 promotion of personnel that are in compliance with the requirements
8 of Chapter 21, Labor Code [~~the Commission on Human Rights Act~~
9 ~~(Article 5221k, Vernon's Texas Civil Statutes)~~];

10 (2) a comprehensive analysis of the commission work
11 force that meets federal and state guidelines;

12 (3) procedures by which a determination can be made of
13 significant underuse in the commission work force of all persons
14 for whom federal or state guidelines encourage a more equitable
15 balance; and

16 (4) reasonable methods to appropriately address those
17 areas of significant underuse.

18 SECTION 2.002. Section 106.17, Alcoholic Beverage Code, as
19 added by Chapter 79 (S.B. 315), Acts of the 87th Legislature,
20 Regular Session, 2021, is repealed as duplicative of Section
21 106.17, Alcoholic Beverage Code, as added by Chapter 942 (S.B.
22 766), Acts of the 87th Legislature, Regular Session, 2021.

23 ARTICLE 3. CHANGES RELATING TO BUSINESS & COMMERCE CODE

24 SECTION 3.001. Section 102.053, Business & Commerce Code,
25 is amended to correct a reference to read as follows:

26 Sec. 102.053. REMISSION OF FEE; SUBMISSION OF REPORTS.
27 Each quarter, a sexually oriented business shall:

1 (1) remit the fee imposed by Section 102.052 [~~47.052~~]
2 to the comptroller in the manner prescribed by the comptroller; and

3 (2) file a report with the comptroller in the manner
4 and containing the information required by the comptroller.

5 ARTICLE 4. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

6 SECTION 4.001. Section 22.001(a), Civil Practice and
7 Remedies Code, is amended to correct a reference to read as follows:

8 (a) Except as provided by Section 22.003 [~~22.002~~], a witness
9 is entitled to 10 dollars for each day the witness attends court.
10 This fee includes the entitlement for travel and the witness is not
11 entitled to any reimbursement for mileage traveled.

12 SECTION 4.002. Section 51.014(a), Civil Practice and
13 Remedies Code, as amended by Chapters 167 (S.B. 232), 528 (S.B. 6),
14 and 813 (H.B. 2086), Acts of the 87th Legislature, Regular Session,
15 2021, is reenacted and amended to read as follows:

16 (a) A person may appeal from an interlocutory order of a
17 district court, county court at law, statutory probate court, or
18 county court that:

19 (1) appoints a receiver or trustee;

20 (2) overrules a motion to vacate an order that
21 appoints a receiver or trustee;

22 (3) certifies or refuses to certify a class in a suit
23 brought under Rule 42 of the Texas Rules of Civil Procedure;

24 (4) grants or refuses a temporary injunction or grants
25 or overrules a motion to dissolve a temporary injunction as
26 provided by Chapter 65;

27 (5) denies a motion for summary judgment that is based

1 on an assertion of immunity by an individual who is an officer or
2 employee of the state or a political subdivision of the state;

3 (6) denies a motion for summary judgment that is based
4 in whole or in part upon a claim against or defense by a member of
5 the electronic or print media, acting in such capacity, or a person
6 whose communication appears in or is published by the electronic or
7 print media, arising under the free speech or free press clause of
8 the First Amendment to the United States Constitution, or Article
9 I, Section 8, of the Texas Constitution, or Chapter 73;

10 (7) grants or denies the special appearance of a
11 defendant under Rule 120a, Texas Rules of Civil Procedure, except
12 in a suit brought under the Family Code;

13 (8) grants or denies a plea to the jurisdiction by a
14 governmental unit as that term is defined in Section 101.001;

15 (9) denies all or part of the relief sought by a motion
16 under Section 74.351(b), except that an appeal may not be taken from
17 an order granting an extension under Section 74.351;

18 (10) grants relief sought by a motion under Section
19 74.351(1);

20 (11) denies a motion to dismiss filed under Section
21 90.007;

22 (12) denies a motion to dismiss filed under Section
23 27.003;

24 (13) denies a motion for summary judgment filed by an
25 electric utility regarding liability in a suit subject to Section
26 75.0022;

27 (14) denies a motion filed by a municipality with a

1 population of 500,000 or more in an action filed under Section
2 54.012(6) or 214.0012, Local Government Code; ~~[or]~~

3 (15) makes a preliminary determination on a claim
4 under Section 74.353;

5 (16) ~~[(15)]~~ overrules an objection filed under
6 Section 148.003(d) or denies all or part of the relief sought by a
7 motion under Section 148.003(f); or

8 (17) ~~[(15)]~~ grants or denies a motion for summary
9 judgment filed by a contractor based on Section 97.002.

10 SECTION 4.003. Section 51.015, Civil Practice and Remedies
11 Code, is amended to correct a reference to read as follows:

12 Sec. 51.015. COSTS OF APPEAL. In the case of an appeal
13 brought pursuant to Section 51.014(a)(6) ~~[51.014(6)]~~, if the order
14 appealed from is affirmed, the court of appeals shall order the
15 appellant to pay all costs and reasonable attorney fees of the
16 appeal; otherwise, each party shall be liable for and taxed its own
17 costs of the appeal.

18 ARTICLE 5. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

19 SECTION 5.001. Article 12.01, Code of Criminal Procedure,
20 is amended to correct an error in punctuation to read as follows:

21 Art. 12.01. FELONIES. Except as provided in Article 12.03,
22 felony indictments may be presented within these limits, and not
23 afterward:

24 (1) no limitation:

25 (A) murder and manslaughter;

26 (B) sexual assault under Section 22.011(a)(2),
27 Penal Code, or aggravated sexual assault under Section

22.021(a)(1)(B), Penal Code;

(C) sexual assault, if:

(i) during the investigation of the offense biological matter is collected and the matter:

(a) has not yet been subjected to forensic DNA testing; or

(b) has been subjected to forensic DNA testing and the testing results show that the matter does not match the victim or any other person whose identity is readily ascertained; or

(ii) probable cause exists to believe that the defendant has committed the same or a similar sex offense against five or more victims;

(D) continuous sexual abuse of young child or disabled individual under Section 21.02, Penal Code;

(E) indecency with a child under Section 21.11, Penal Code;

(F) an offense involving leaving the scene of an accident under Section 550.021, Transportation Code, if the accident resulted in the death of a person;

(G) trafficking of persons under Section 20A.02(a)(7) or (8), Penal Code;

(H) continuous trafficking of persons under Section 20A.03, Penal Code; or

(I) compelling prostitution under Section 43.05(a)(2), Penal Code;

(2) ten years from the date of the commission of the

1 offense:

2 (A) theft of any estate, real, personal or mixed,
3 by an executor, administrator, guardian or trustee, with intent to
4 defraud any creditor, heir, legatee, ward, distributee,
5 beneficiary or settlor of a trust interested in such estate;

6 (B) theft by a public servant of government
7 property over which the public servant exercises control in the
8 public servant's official capacity;

9 (C) forgery or the uttering, using, or passing of
10 forged instruments;

11 (D) injury to an elderly or disabled individual
12 punishable as a felony of the first degree under Section 22.04,
13 Penal Code;

14 (E) sexual assault, except as provided by
15 Subdivision (1) or (7);

16 (F) arson;

17 (G) trafficking of persons under Section
18 20A.02(a)(1), (2), (3), or (4), Penal Code; or

19 (H) compelling prostitution under Section
20 43.05(a)(1), Penal Code;

21 (3) seven years from the date of the commission of the
22 offense:

23 (A) misapplication of fiduciary property or
24 property of a financial institution;

25 (B) fraudulent securing of document execution;

26 (C) a felony violation under Chapter 162, Tax
27 Code;

(D) false statement to obtain property or credit under Section 32.32, Penal Code;

(E) money laundering;

(F) credit card or debit card abuse under Section 32.31, Penal Code;

(G) fraudulent use or possession of identifying information under Section 32.51, Penal Code;

(H) exploitation of a child, elderly individual, or disabled individual under Section 32.53, Penal Code;

(I) health care fraud under Section 35A.02, Penal Code; or

(J) bigamy under Section 25.01, Penal Code, except as provided by Subdivision (6);

(4) five years from the date of the commission of the offense:

(A) theft or robbery;

(B) except as provided by Subdivision (5), kidnapping or burglary;

(C) injury to an elderly or disabled individual that is not punishable as a felony of the first degree under Section 22.04, Penal Code;

(D) abandoning or endangering a child; or

(E) insurance fraud;

(5) if the investigation of the offense shows that the victim is younger than 17 years of age at the time the offense is committed, 20 years from the 18th birthday of the victim of one of the following offenses:

1 (A) sexual performance by a child under Section
2 43.25, Penal Code;

3 (B) aggravated kidnapping under Section
4 20.04(a)(4), Penal Code, if the defendant committed the offense
5 with the intent to violate or abuse the victim sexually; or

6 (C) burglary under Section 30.02, Penal Code, if
7 the offense is punishable under Subsection (d) of that section and
8 the defendant committed the offense with the intent to commit an
9 offense described by Subdivision (1)(B) or (D) of this article or
10 Paragraph (B) of this subdivision;

11 (6) ten years from the 18th birthday of the victim of
12 the offense:

13 (A) trafficking of persons under Section
14 20A.02(a)(5) or (6), Penal Code;

15 (B) injury to a child under Section 22.04, Penal
16 Code; or

17 (C) bigamy under Section 25.01, Penal Code, if
18 the investigation of the offense shows that the person, other than
19 the legal spouse of the defendant, whom the defendant marries or
20 purports to marry or with whom the defendant lives under the
21 appearance of being married is younger than 18 years of age at the
22 time the offense is committed;

23 (7) two years from the date the offense was
24 discovered: sexual assault punishable as a state jail felony under
25 Section 22.011(f)(2), Penal Code; or

26 (8) three years from the date of the commission of the
27 offense: all other felonies.

1 SECTION 5.002. Article 17.091, Code of Criminal Procedure,
2 is amended to conform to the amendment of Article 42A.054(a), Code
3 of Criminal Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th
4 Legislature, Regular Session, 2019, to read as follows:

5 Art. 17.091. NOTICE OF CERTAIN BAIL REDUCTIONS
6 REQUIRED. Before a judge or magistrate reduces the amount of bail
7 set for a defendant charged with an offense listed in Article
8 42A.054 or [7] an offense described by Article 62.001(5), [~~or an~~
9 ~~offense under Section 20A.03, Penal Code,~~] the judge or magistrate
10 shall provide:

11 (1) to the attorney representing the state, reasonable
12 notice of the proposed bail reduction; and

13 (2) on request of the attorney representing the state
14 or the defendant or the defendant's counsel, an opportunity for a
15 hearing concerning the proposed bail reduction.

16 ARTICLE 6. CHANGES RELATING TO EDUCATION CODE

17 SECTION 6.001. Section 12.013(b), Education Code, as
18 amended by Chapters 887 (S.B. 1697) and 1046 (S.B. 1365), Acts of
19 the 87th Legislature, Regular Session, 2021, is reenacted and
20 amended to read as follows:

21 (b) A home-rule school district is subject to:

22 (1) a provision of this title establishing a criminal
23 offense;

24 (2) a provision of this title relating to limitations
25 on liability; and

26 (3) a prohibition, restriction, or requirement, as
27 applicable, imposed by this title or a rule adopted under this

1 title, relating to:

2 (A) the Public Education Information Management
3 System (PEIMS) to the extent necessary to monitor compliance with
4 this subchapter as determined by the commissioner;

5 (B) educator certification under Chapter 21 and
6 educator rights under Sections 21.407, 21.408, and 22.001;

7 (C) criminal history records under Subchapter C,
8 Chapter 22;

9 (D) student admissions under Section 25.001;

10 (E) school attendance under Sections 25.085,
11 25.086, and 25.087;

12 (F) inter-district or inter-county transfers of
13 students under Subchapter B, Chapter 25;

14 (G) elementary class size limits under Section
15 25.112, in the case of any campus in the district that fails to
16 satisfy any standard under Section 39.054(e);

17 (H) high school graduation under Section 28.025;

18 (I) special education programs under Subchapter
19 A, Chapter 29;

20 (J) bilingual education under Subchapter B,
21 Chapter 29;

22 (K) prekindergarten programs under Subchapter E,
23 Chapter 29;

24 (L) safety provisions relating to the
25 transportation of students under Sections 34.002, 34.003, 34.004,
26 and 34.008;

27 (M) computation and distribution of state aid

under Chapters 31, 43, and 48;

(N) extracurricular activities under Section 33.081;

(O) health and safety under Chapter 38;

(P) the provisions of Subchapter A, Chapter 39;

(Q) public school accountability and special investigations under Subchapters A, B, C, D, and J, Chapter 39, and Chapter 39A;

(R) options for local revenue levels in excess of entitlement under Chapter 49;

(S) a bond or other obligation or tax rate under Chapters 43, 45, and 48;

(T) purchasing under Chapter 44; and

(U) [~~(T)~~] parental options to retain a student under Section 28.02124.

SECTION 6.002. Section 12.056(b), Education Code, as amended by Chapters 887 (S.B. 1697), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(b) A campus or program for which a charter is granted under this subchapter is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management

1 System (PEIMS) to the extent necessary to monitor compliance with
2 this subchapter as determined by the commissioner;

3 (B) criminal history records under Subchapter C,
4 Chapter 22;

5 (C) high school graduation under Section 28.025;

6 (D) special education programs under Subchapter
7 A, Chapter 29;

8 (E) bilingual education under Subchapter B,
9 Chapter 29;

10 (F) prekindergarten programs under Subchapter E,
11 Chapter 29, except class size limits for prekindergarten classes
12 imposed under Section 25.112, which do not apply;

13 (G) extracurricular activities under Section
14 33.081;

15 (H) health and safety under Chapter 38;

16 (I) the provisions of Subchapter A, Chapter 39;

17 (J) public school accountability and special
18 investigations under Subchapters A, B, C, D, F, and J, Chapter 39,
19 and Chapter 39A;

20 (K) the duty to discharge or refuse to hire
21 certain employees or applicants for employment under Section
22 12.1059; and

23 (L) [~~(K)~~] parental options to retain a student
24 under Section 28.02124.

25 SECTION 6.003. Section 12.104(b), Education Code, as
26 amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B.
27 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th

1 Legislature, Regular Session, 2021, is reenacted and amended to
2 read as follows:

3 (b) An open-enrollment charter school is subject to:

4 (1) a provision of this title establishing a criminal
5 offense;

6 (2) the provisions in Chapter 554, Government Code;
7 and

8 (3) a prohibition, restriction, or requirement, as
9 applicable, imposed by this title or a rule adopted under this
10 title, relating to:

11 (A) the Public Education Information Management
12 System (PEIMS) to the extent necessary to monitor compliance with
13 this subchapter as determined by the commissioner;

14 (B) criminal history records under Subchapter C,
15 Chapter 22;

16 (C) reading instruments and accelerated reading
17 instruction programs under Section 28.006;

18 (D) accelerated instruction under Section
19 28.0211;

20 (E) high school graduation requirements under
21 Section 28.025;

22 (F) special education programs under Subchapter
23 A, Chapter 29;

24 (G) bilingual education under Subchapter B,
25 Chapter 29;

26 (H) prekindergarten programs under Subchapter E
27 or E-1, Chapter 29, except class size limits for prekindergarten

1 classes imposed under Section 25.112, which do not apply;

2 (I) extracurricular activities under Section
3 33.081;

4 (J) discipline management practices or behavior
5 management techniques under Section 37.0021;

6 (K) health and safety under Chapter 38;

7 (L) the provisions of Subchapter A, Chapter 39;

8 (M) public school accountability and special
9 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
10 39, and Chapter 39A;

11 (N) the requirement under Section 21.006 to
12 report an educator's misconduct;

13 (O) intensive programs of instruction under
14 Section 28.0213;

15 (P) the right of a school employee to report a
16 crime, as provided by Section 37.148;

17 (Q) bullying prevention policies and procedures
18 under Section 37.0832;

19 (R) the right of a school under Section 37.0052
20 to place a student who has engaged in certain bullying behavior in a
21 disciplinary alternative education program or to expel the student;

22 (S) the right under Section 37.0151 to report to
23 local law enforcement certain conduct constituting assault or
24 harassment;

25 (T) a parent's right to information regarding the
26 provision of assistance for learning difficulties to the parent's
27 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) [~~(X)~~] parental options to retain a student under Section 28.02124.

SECTION 6.004. Section 12.1058(a), Education Code, as amended by Chapters 551 (S.B. 282) and 916 (H.B. 3610), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(a) An open-enrollment charter school is considered to be:

(1) a local government for purposes of Chapter 791, Government Code;

(2) a local government for purposes of Chapter 2259, Government Code, except that an open-enrollment charter school may not issue public securities as provided by Section 2259.031(b), Government Code;

(3) a political subdivision for purposes of Chapter 172, Local Government Code;

(4) a local governmental entity for purposes of Subchapter I, Chapter 271, Local Government Code; [~~and~~]

(5) a political subdivision for purposes of Section

180.008, Local Government Code;

(6) [~~(5)~~] a political subdivision for purposes of Section 16.061, Civil Practice and Remedies Code, with respect to any property purchased, leased, constructed, renovated, or improved with state funds under Section 12.128 of this code; and

(7) [~~(6)~~] a political subdivision for purposes of Section 11.11, Tax Code.

SECTION 6.005. (a) Section 12.263, Education Code, as effective September 1, 2023, is amended to conform to Chapter 489 (H.B. 3456), Acts of the 87th Legislature, Regular Session, 2021, by adding Subsection (h) to read as follows:

(h) Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by a nonprofit entity granted a charter under this subchapter or appropriated to the agency for purposes of operating an adult education program under this subchapter is considered to be part of the foundation school program and is not subject to those budget reductions.

(b) Section 2, Chapter 489 (H.B. 3456), Acts of the 87th Legislature, Regular Session, 2021, which added Section 29.259(j-1), Education Code, is repealed.

SECTION 6.006. Section 21.051, Education Code, as amended by Chapters 215 (H.B. 159) and 952 (S.B. 1590), Acts of the 87th Legislature, Regular Session, 2021, is amended by reenacting and amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f) The board shall propose rules providing flexible

options for persons for any field-based experience or internship required for certification, including options for candidate observations that provide for at least:

(1) two observations to occur in person and two additional observations to occur in virtual settings that are equivalent in rigor to in-person options for observation; or

(2) three observations to occur in person.

(f-1) The options required under Subsection (f) must, to the greatest extent practicable, involve interaction with a diverse student population, including students with disabilities.

SECTION 6.007. Section 21.4551(b), Education Code, as amended by Chapter 973 (S.B. 2066), Acts of the 87th Legislature, Regular Session, 2021, is repealed to conform to the repeal of Section 21.4551, Education Code, by Chapter 1045 (S.B. 1267), Acts of the 87th Legislature, Regular Session, 2021.

SECTION 6.008. Section 31.0211(c), Education Code, as amended by Chapters 806 (H.B. 1525) and 1003 (H.B. 3261), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(c) Funds allotted under this section may be used to:

(1) purchase:

(A) materials on the list adopted by the commissioner, as provided by Section 31.0231;

(B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section 31.024;

(C) consumable instructional materials,

1 including workbooks;

2 (D) instructional materials for use in bilingual
3 education classes, as provided by Section 31.029;

4 (E) instructional materials for use in college
5 preparatory courses under Section 28.014, as provided by Section
6 31.031;

7 (F) supplemental instructional materials, as
8 provided by Section 31.035;

9 (G) state-developed open education resource
10 instructional materials, as provided by Subchapter B-1;

11 (H) instructional materials and technological
12 equipment under any continuing contracts of the district in effect
13 on September 1, 2011;

14 (I) technological equipment necessary to support
15 the use of materials included on the list adopted by the
16 commissioner under Section 31.0231 or any instructional materials
17 purchased with an allotment under this section;

18 (J) inventory software or systems for storing,
19 managing, and accessing instructional materials and analyzing the
20 usage and effectiveness of the instructional materials; and

21 (K) services, equipment, and technology
22 infrastructure necessary to ensure Internet connectivity and
23 adequate bandwidth; and

24 (2) pay:

25 (A) for training educational personnel directly
26 involved in student learning in the appropriate use of
27 instructional materials and for providing for access to

1 technological equipment for instructional use;

2 (B) for training personnel in the electronic
3 administration of assessment instruments; ~~and~~

4 (C) the salary and other expenses of an employee
5 who provides technical support for the use of technological
6 equipment directly involved in student learning; and

7 (D) ~~(C)~~ for costs associated with distance
8 learning, including Wi-Fi, Internet access hotspots, wireless
9 network service, broadband service, and other services and
10 technological equipment necessary to facilitate Internet access.

11 SECTION 6.009. Sections 48.009(b-1) and (b-2), Education
12 Code, as added by Chapter 915 (H.B. 3607), Acts of the 87th
13 Legislature, Regular Session, 2021, are repealed as duplicative of
14 Sections 48.009(b)(6) and (7), Education Code, as added by Chapter
15 806 (H.B. 1525), Acts of the 87th Legislature, Regular Session,
16 2021.

17 SECTION 6.010. Section 48.009(b-3), Education Code, is
18 amended to correct a reference to read as follows:

19 (b-3) A student reported under Subsection (b)(7) ~~(b-2)~~ as
20 having enrolled in a high school equivalency program, a dropout
21 recovery school, or an adult education program provided under a
22 high school diploma and industry certification charter school
23 program must be reported through the Public Education Information
24 Management System as having previously dropped out of school.

25 SECTION 6.011. Section 48.009(b-4), Education Code, as
26 added by Chapter 806 (H.B. 1525), Acts of the 87th Legislature,
27 Regular Session, 2021, is repealed as duplicative of Section

1 48.009(b-3), Education Code, as added by Chapter 915 (H.B. 3607),
2 Acts of the 87th Legislature, Regular Session, 2021.

3 SECTION 6.012. Section 134.004, Education Code, as amended
4 by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the 87th
5 Legislature, Regular Session, 2021, is reenacted to read as
6 follows:

7 Sec. 134.004. JOBS AND EDUCATION FOR TEXANS (JET) GRANT
8 PROGRAM. (a) The commission shall establish and administer the Jobs
9 and Education for Texans (JET) Grant Program to provide grants to
10 public junior colleges, public technical institutes, public state
11 colleges, and school districts and open-enrollment charter schools
12 described under Section 134.007 that apply to the advisory board in
13 the manner prescribed by the advisory board. The commission shall
14 award the grants on the advice and recommendations of the advisory
15 board.

16 (b) Grants may be awarded under this chapter from the Jobs
17 and Education for Texans (JET) fund to defray the start-up costs
18 associated with the development of new career and technical
19 education programs at public junior colleges, public technical
20 institutes, public state colleges, and school districts and
21 open-enrollment charter schools described under Section 134.007
22 that meet the requirements of Section 134.006.

23 SECTION 6.013. Section 134.006(a), Education Code, as
24 amended by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the
25 87th Legislature, Regular Session, 2021, is reenacted and amended
26 to read as follows:

27 (a) The commission may award a grant for the development of

1 new career and technical education courses or programs at public
2 junior colleges, public technical institutes, public state
3 colleges, and school districts~~[7]~~ and open-enrollment charter
4 schools described under Section 134.007.

5 SECTION 6.014. Section 134.006(d), Education Code, as
6 amended by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the
7 87th Legislature, Regular Session, 2021, is reenacted to read as
8 follows:

9 (d) To be eligible to receive a grant under this section, a
10 public junior college, public technical institute, public state
11 college, or school district or open-enrollment charter school
12 described under Section 134.007 must provide matching funds in
13 accordance with rules adopted under Section 134.008. The matching
14 funds may be obtained from any source available to the public junior
15 college, public technical institute, public state college, school
16 district, or open-enrollment charter school, including industry
17 consortia, community or foundation grants, individual
18 contributions, and local governmental agency operating funds.

19 SECTION 6.015. Section 134.007, Education Code, as amended
20 by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the 87th
21 Legislature, Regular Session, 2021, is reenacted and amended to
22 read as follows:

23 Sec. 134.007. GRANTS AWARDED TO SCHOOL DISTRICT OR
24 OPEN-ENROLLMENT CHARTER SCHOOL. The commission may award a grant
25 under this chapter to:

26 (1) an independent ~~[a]~~ school district or
27 open-enrollment charter school ~~[under this chapter]~~ if the

1 district[+]

2 [~~(1) is an independent school district and~~] or school
3 has entered into a partnership with a public junior college, public
4 technical institute, or public state college for the purpose of:

5 (A) promoting career and technical education to
6 the district's or school's students; or

7 (B) offering dual credit courses to the
8 district's or school's students; or

9 (2) the Windham School District.

10 SECTION 6.016. Section 1001.108(b), Education Code, is
11 amended to correct a reference to read as follows:

12 (b) The curriculum must include information about each
13 matter listed in Section 692A.020(k) [~~49.001(a)~~], Health and Safety
14 Code.

15 ARTICLE 7. CHANGES RELATING TO ELECTION CODE

16 SECTION 7.001. Sections 13.004(d) and (e), Election Code,
17 are amended to conform to Chapter 711 (H.B. 3107), Acts of the 87th
18 Legislature, Regular Session, 2021, to read as follows:

19 (d) The voter registrar or other county official who has
20 access to the information furnished on a registration application
21 may not post the following information on a website:

22 (1) a telephone number;

23 (2) a social security number;

24 (3) a driver's license number or a number of a personal
25 identification card;

26 (4) a date of birth; or

27 (5) the residence address of a voter who submits

1 documentation under Subsection (c)(4), (5) [~~(c)(5)~~], (6), or (7) [~~7~~
2 ~~or (8)~~] to the voter registrar or regarding whom the registrar has
3 received notification under Section 15.0215.

4 (e) Documentation submitted under Subsection (c)(4), (5)
5 [~~(c)(5)~~], (6), or (7) [~~7~~ ~~or (8)~~] shall be retained on file with the
6 voter registration application.

7 SECTION 7.002. Section 87.121, Election Code, as reenacted
8 and amended by Chapters 66 (H.B. 1622) and 317 (H.B. 1382), Acts of
9 the 87th Legislature, Regular Session, 2021, is reenacted and
10 amended to read as follows:

11 Sec. 87.121. EARLY VOTING ROSTERS. (a) The early voting
12 clerk shall maintain for each election a roster listing each person
13 who votes an early voting ballot by personal appearance and a roster
14 listing each person to whom an early voting ballot to be voted by
15 mail is sent.

16 (b) For each person listed, the applicable roster must
17 include:

18 (1) the person's name, address, and voter registration
19 number;

20 (2) an identification of the person's county election
21 precinct of registration; and

22 (3) the date of voting or the date the ballot was
23 mailed to the person, as applicable.

24 (c) Each roster shall be updated daily.

25 (d) Each roster may be maintained in any form approved by
26 the secretary of state.

27 (e) The clerk shall preserve each roster after the election

1 for the period for preserving the precinct election records.

2 (f) Information on the roster for a person to whom an early
3 voting mail ballot has been sent is not available for public
4 inspection, except to the voter seeking to verify that the
5 information pertaining to the voter is accurate, until the first
6 business day after election day.

7 (g) Information on the roster for a person who votes an
8 early voting ballot by personal appearance shall be made available
9 for public inspection as provided by Subsection (i) not later than
10 11 a.m. on the day after the date the information is entered on the
11 roster under Subsection (c).

12 (h) Information on the roster for a person who votes an
13 early voting ballot by mail shall be made available for public
14 inspection as provided by Subsection (i) not later than 11 a.m. on
15 the day following the day the early voting clerk receives any ballot
16 voted by mail.

17 (i) The information under Subsections (g) and (h) must be
18 made available:

19 (1) for an election in which the county clerk is the
20 early voting clerk:

21 (A) on the publicly accessible Internet website
22 of the county; or

23 (B) if the county does not maintain a website, on
24 the bulletin board used for posting notice of meetings of the
25 commissioners court; or

26 (2) for an election not described by Subdivision (1):

27 (A) on the publicly accessible Internet website

1 of the authority ordering the election; or

2 (B) if the authority ordering the election does
3 not maintain a website, on the bulletin board used for posting
4 notice of meetings of the governing body of the authority.

5 (j) The early voting clerk for a primary election or the
6 general election for state and county officers shall submit to the
7 secretary of state for posting on the secretary of state's Internet
8 website the information described by:

9 (1) Subsection (g) not later than 11 a.m. on the day
10 after the date the information is entered on the roster under
11 Subsection (c); and

12 (2) Subsection (h) not later than 11 a.m. on the day
13 following the day the early voting clerk receives any ballot voted
14 by mail.

15 (k) The early voting clerk for a primary election or the
16 general election for state and county officers shall submit to the
17 secretary of state for posting on the secretary of state's Internet
18 website the election day information described by Subsections (g)
19 and (h) not later than 11 a.m. on the day after the election.

20 (l) The early voting clerk for a primary election or the
21 general election for state and county officers shall submit to the
22 secretary of state for posting on the secretary of state's Internet
23 website the final rosters containing information described by
24 Subsections (g) and (h) not later than the 20th day after the date
25 of the local canvass.

26 (m) [~~(k)~~] The secretary of state shall post the information
27 described by Subsection (j) on the secretary of state's Internet

1 website in a downloadable format not later than 11 a.m. on the day
2 following the day of receipt of the information.

3 (n) [~~(l)~~] The secretary of state shall create a system for
4 an early voting clerk for a primary election or the general election
5 for state and county officers to provide the information to the
6 secretary of state for posting on the secretary of state's Internet
7 website under Subsection (j).

8 (o) [~~(m)~~] A person registered to vote in the county where
9 the early voting clerk is conducting early voting may submit a
10 complaint to the secretary of state stating that an early voting
11 clerk has not complied with this section.

12 (p) [~~(n)~~] The secretary of state by rule shall create and
13 maintain a system for receiving and recording complaints made under
14 this section.

15 (q) [~~(o)~~] The secretary of state shall maintain a record
16 indicating early voting clerks who have failed to comply with the
17 requirements of this section.

18 ARTICLE 8. CHANGES RELATING TO FAMILY CODE

19 SECTION 8.001. Section 54.047(f), Family Code, as amended
20 by Section 13, Chapter 948 (S.B. 1480), Acts of the 87th
21 Legislature, Regular Session, 2021, is repealed to conform to the
22 repeal of Section 54.047(f), Family Code, by Section 5.01(b)(5),
23 Chapter 472 (S.B. 41), Acts of the 87th Legislature, Regular
24 Session, 2021.

25 SECTION 8.002. Section 161.001(c), Family Code, as amended
26 by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th
27 Legislature, Regular Session, 2021, is reenacted and amended to

1 read as follows:

2 (c) Evidence of one or more of the following does not
3 constitute clear and convincing evidence sufficient for a court to
4 make a finding under Subsection (b) and order termination of the
5 parent-child relationship:

6 (1) the parent homeschooled the child;

7 (2) the parent is economically disadvantaged;

8 (3) the parent has been charged with a nonviolent
9 misdemeanor offense other than:

10 (A) an offense under Title 5, Penal Code;

11 (B) an offense under Title 6, Penal Code; or

12 (C) an offense that involves family violence, as
13 defined by Section 71.004 of this code;

14 (4) the parent provided or administered low-THC
15 cannabis to a child for whom the low-THC cannabis was prescribed
16 under Chapter 169, Occupations Code;

17 (5) the parent declined immunization for the child for
18 reasons of conscience, including a religious belief; ~~or~~

19 (6) the parent sought an opinion from more than one
20 medical provider relating to the child's medical care, transferred
21 the child's medical care to a new medical provider, or transferred
22 the child to another health care facility; or

23 (7) ~~(6)~~ the parent allowed the child to engage in
24 independent activities that are appropriate and typical for the
25 child's level of maturity, physical condition, developmental
26 abilities, or culture.

27 SECTION 8.003. Section 261.001(4), Family Code, as amended

1 by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th
2 Legislature, Regular Session, 2021, is reenacted and amended to
3 read as follows:

4 (4) "Neglect" means an act or failure to act by a
5 person responsible for a child's care, custody, or welfare
6 evidencing the person's blatant disregard for the consequences of
7 the act or failure to act that results in harm to the child or that
8 creates an immediate danger to the child's physical health or
9 safety and:

10 (A) includes:

11 (i) the leaving of a child in a situation
12 where the child would be exposed to an immediate danger of physical
13 or mental harm, without arranging for necessary care for the child,
14 and the demonstration of an intent not to return by a parent,
15 guardian, or managing or possessory conservator of the child;

16 (ii) the following acts or omissions by a
17 person:

18 (a) placing a child in or failing to
19 remove a child from a situation that a reasonable person would
20 realize requires judgment or actions beyond the child's level of
21 maturity, physical condition, or mental abilities and that results
22 in bodily injury or an immediate danger of harm to the child;

23 (b) failing to seek, obtain, or follow
24 through with medical care for a child, with the failure resulting in
25 or presenting an immediate danger of death, disfigurement, or
26 bodily injury or with the failure resulting in an observable and
27 material impairment to the growth, development, or functioning of

1 the child;

2 (c) the failure to provide a child
3 with food, clothing, or shelter necessary to sustain the life or
4 health of the child, excluding failure caused primarily by
5 financial inability unless relief services had been offered and
6 refused;

7 (d) placing a child in or failing to
8 remove the child from a situation in which the child would be
9 exposed to an immediate danger of sexual conduct harmful to the
10 child; or

11 (e) placing a child in or failing to
12 remove the child from a situation in which the child would be
13 exposed to acts or omissions that constitute abuse under
14 Subdivision (1)(E), (F), (G), (H), or (K) committed against another
15 child;

16 (iii) the failure by the person responsible
17 for a child's care, custody, or welfare to permit the child to
18 return to the child's home without arranging for the necessary care
19 for the child after the child has been absent from the home for any
20 reason, including having been in residential placement or having
21 run away; or

22 (iv) a negligent act or omission by an
23 employee, volunteer, or other individual working under the auspices
24 of a facility or program, including failure to comply with an
25 individual treatment plan, plan of care, or individualized service
26 plan, that causes or may cause substantial emotional harm or
27 physical injury to, or the death of, a child served by the facility

or program as further described by rule or policy; and

(B) does not include:

(i) the refusal by a person responsible for a child's care, custody, or welfare to permit the child to remain in or return to the child's home resulting in the placement of the child in the conservatorship of the department if:

(a) the child has a severe emotional disturbance;

(b) the person's refusal is based solely on the person's inability to obtain mental health services necessary to protect the safety and well-being of the child; and

(c) the person has exhausted all reasonable means available to the person to obtain the mental health services described by Sub-subparagraph (b); ~~or~~

(ii) allowing the child to engage in independent activities that are appropriate and typical for the child's level of maturity, physical condition, developmental abilities, or culture; or

(iii) ~~(iii)~~ a decision by a person responsible for a child's care, custody, or welfare to:

(a) obtain an opinion from more than one medical provider relating to the child's medical care;

(b) transfer the child's medical care to a new medical provider; or

(c) transfer the child to another health care facility.

SECTION 8.004. Section 262.116(a), Family Code, as amended

by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(a) The Department of Family and Protective Services may not take possession of a child under this subchapter based on evidence that the parent:

- (1) homeschooled the child;
- (2) is economically disadvantaged;
- (3) has been charged with a nonviolent misdemeanor

offense other than:

- (A) an offense under Title 5, Penal Code;
- (B) an offense under Title 6, Penal Code; or
- (C) an offense that involves family violence, as defined by Section 71.004 of this code;

(4) provided or administered low-THC cannabis to a child for whom the low-THC cannabis was prescribed under Chapter 169, Occupations Code;

(5) declined immunization for the child for reasons of conscience, including a religious belief; ~~[or]~~

(6) sought an opinion from more than one medical provider relating to the child's medical care, transferred the child's medical care to a new medical provider, or transferred the child to another health care facility;

(7) ~~[(6)]~~ allowed the child to engage in independent activities that are appropriate and typical for the child's level of maturity, physical condition, developmental abilities, or culture; or

1 (8) [~~7~~] tested positive for marihuana, unless the
2 department has evidence that the parent's use of marihuana has
3 caused significant impairment to the child's physical or mental
4 health or emotional development.

5 ARTICLE 9. CHANGES RELATING TO FINANCE CODE

6 SECTION 9.001. Section 31.002(a)(15), Finance Code, is
7 amended to correct a reference to read as follows:

8 (15) "Deposit" means the establishment of a
9 debtor-creditor relationship represented by the agreement of the
10 deposit debtor to act as a holding, paying, or disbursing agent for
11 the deposit creditor. The term:

12 (A) includes:

13 (i) an unpaid balance of money that is
14 received by the deposit debtor in the usual course of business in
15 exchange for conditional or unconditional credit to a commercial,
16 checking, savings, or time account of the deposit creditor or the
17 creditor's designee, or that is evidenced by a certificate of
18 deposit or similar instrument, a certified check or draft drawn
19 against a deposit account, or a letter of credit or traveler's check
20 on which the deposit debtor is primarily liable, but excluding an
21 obligation arising under Chapter 151 [~~152~~];

22 (ii) money or credit given for money
23 received by the deposit debtor in the usual course of business for a
24 special purpose, including money:

25 (a) held as escrow money, as security
26 for an obligation due to the deposit debtor or another person, or as
27 security for a loan;

1 (b) left with a deposit debtor by a
2 deposit creditor to meet maturing obligations that are not yet due;
3 and

4 (c) held by the deposit debtor to meet
5 an acceptance or letter of credit;

6 (iii) an outstanding draft, cashier's
7 check, money order, or other officer's check issued by the deposit
8 debtor in the usual course of business for any purpose, including
9 payment for services, dividends, or purchases; and

10 (iv) an obligation that the finance
11 commission by rule defines as a deposit liability, except that the
12 term may not include money received for immediate application to
13 reduction of an indebtedness; and

14 (B) does not include an obligation that this
15 subtitle or finance commission rule determines not to be a deposit
16 liability.

17 SECTION 9.002. Sections 59.011(a) and (c), Finance Code,
18 are amended to conform to the expiration of Title 16, Property Code,
19 on September 1, 2009, to read as follows:

20 (a) For purposes of Chapter 27, Property Code, ~~[and Title~~
21 ~~16, Property Code,~~] a federally insured financial institution
22 regulated under this code is not a builder.

23 (c) A builder hired by a lender to complete the construction
24 of a foreclosed home is not liable for any construction defects of
25 which the builder had no knowledge that existed prior to the
26 acquisition of the home by the lender, but the builder is subject to
27 Chapter 27, Property Code, ~~[and Title 16, Property Code,~~] for work

1 performed for the lender subsequent to the acquisition of the home
2 by the lender.

3 ARTICLE 10. CHANGES RELATING TO GOVERNMENT CODE

4 SECTION 10.001. The heading to Subchapter H, Chapter 51,
5 Government Code, is repealed to conform to the repeal of Sections
6 51.702, 51.703, 51.704, 51.705, 51.706, 51.707, 51.708, 51.709,
7 51.710, 51.711, and 51.713, Government Code, by Chapter 472
8 (S.B. 41), Acts of the 87th Legislature, Regular Session, 2021.

9 SECTION 10.002. Section 402.0351(b), Government Code, as
10 amended by Chapters 280 (H.B. 3721) and 1049 (S.B. 1831), Acts of
11 the 87th Legislature, Regular Session, 2021, is reenacted to read
12 as follows:

13 (b) The attorney general by rule shall prescribe the design
14 and content of a sign required to be posted under this section. The
15 sign must:

16 (1) contain information regarding services and
17 assistance available to victims of human trafficking;

18 (2) be in English, Spanish, and any other language
19 determined appropriate by the attorney general in consultation with
20 the council; and

21 (3) include:

22 (A) a toll-free telephone number and Internet
23 website for accessing human trafficking resources;

24 (B) the contact information for reporting
25 suspicious activity to the Department of Public Safety; and

26 (C) the key indicators that a person is a victim
27 of human trafficking.

SECTION 10.003. Section 411.179(a), Government Code, as amended by Chapters 203 (H.B. 918), 383 (S.B. 1134), and 821 (H.B. 2675), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(a) The department by rule shall adopt the form of the license. A license must include:

(1) a number assigned to the license holder by the department;

(2) a statement of the period for which the license is effective;

(3) a photograph of the license holder;

(4) the license holder's full name, date of birth, hair and eye color, height, weight, and signature;

(5) the license holder's residence address or, as provided by Subsection (d), the street address of the courthouse in which the license holder or license holder's spouse or parent serves as a federal judge or the license holder serves as a state judge;

(6) the number of a driver's license or an identification certificate issued to the license holder by the department;

(7) the designation "VETERAN" if required under Subsection (e); ~~and~~

(8) any at-risk designation for which the license holder has established eligibility under Section 411.184; and

(9) ~~(8)~~ if applicable, a protective order designation under Section 411.1735.

SECTION 10.004. Section 478.0001(3), Government Code, as amended by Chapters 10 (H.B. 1472), 102 (S.B. 1265), 605 (S.B. 1155), and 915 (H.B. 3607), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(3) "Event" means any of the following and includes any activity related to or associated with the following:

(A) the Academy of Country Music Awards;

(B) the Amateur Athletic Union Junior Olympic Games;

(C) a Big 12 Football Conference Championship game;

(D) the Breeders' Cup World Championships;

(E) a game of the College Football Playoff or its successor;

(F) the Confederation of North, Central America and Caribbean Association Football (Concacaf) Gold Cup;

(G) [~~(F)~~] a CONVRG conference;

(H) [~~(G)~~] an Elite Rodeo Association World Championship;

(I) [~~(H)~~] a Formula One automobile race;

(J) [~~(I)~~] the largest event held each year at a sports entertainment venue in this state with a permanent seating capacity, including grandstand and premium seating, of at least 125,000 on September 1, 2021;

(K) [~~(J)~~] the Major League Baseball All-Star Game;

(L) [~~(K)~~] the Major League Soccer All-Star Game

1 or the Major League Soccer Cup;
2 (M) [~~(L)~~] a mixed martial arts championship;
3 (N) [~~(M)~~] the Moto Grand Prix of the United
4 States;
5 (O) [~~(N)~~] the National Association for Stock Car
6 Auto Racing (NASCAR):
7 (i) All-Star Race;
8 (ii) season-ending Championship Race; or
9 (iii) Texas Grand Prix race;
10 (P) [~~(O)~~] the National Basketball Association
11 All-Star Game;
12 (Q) [~~(P)~~] a National Collegiate Athletic
13 Association Final Four tournament game;
14 (R) [~~(Q)~~] the National Collegiate Athletic
15 Association men's or women's lacrosse championships;
16 (S) [~~(R)~~] a national collegiate championship of
17 an amateur sport sanctioned by the national governing body of the
18 sport that is recognized by the United States Olympic Committee;
19 (T) [~~(S)~~] the National Cutting Horse Association
20 Triple Crown;
21 (U) [~~(T)~~] the National Hockey League All-Star
22 Game;
23 (V) the National Hot Rod Association Fall
24 Nationals at the Texas Motorplex;
25 (W) [~~(U)~~] a national political convention of the
26 Republican National Committee or the Democratic National
27 Committee;

1 (X) [~~(V)~~] a championship event in the National
2 Reined Cow Horse Association (NRCHA) Championship Series;

3 (Y) [~~(W)~~] an Olympic activity, including a
4 Junior or Senior activity, training program, or feeder program
5 sanctioned by the United States Olympic Committee's Community
6 Olympic Development Program;

7 (Z) [~~(X)~~] a presidential general election
8 debate;

9 (AA) [~~(Y)~~] the Professional Rodeo Cowboys
10 Association National Finals Rodeo;

11 (BB) [~~(Z)~~] a Super Bowl;

12 (CC) [~~(AA)~~] the United States Open Championship;

13 (DD) [~~(BB)~~] a World Cup soccer game or the World
14 Cup soccer tournament;

15 (EE) [~~(CC)~~] the World Games;

16 (FF) [~~(DD)~~] a World Wrestling Entertainment
17 WrestleMania event; or

18 (GG) [~~(EE)~~] the X Games.

19 SECTION 10.005. Section 478.0001(7), Government Code, as
20 amended by Chapters 10 (H.B. 1472), 102 (S.B. 1265), and 915 (H.B.
21 3607), Acts of the 87th Legislature, Regular Session, 2021, is
22 reenacted and amended to read as follows:

23 (7) "Site selection organization" means:

24 (A) the Academy of Country Music;

25 (B) the Amateur Athletic Union;

26 (C) the Big 12 Conference;

27 (D) the College Football Playoff Administration,

1 LLC, or its successor;
2 (E) the Commission on Presidential Debates;
3 (F) the Confederation of North, Central America
4 and Caribbean Association Football (Concacaf);
5 (G) [~~(F)~~] the Democratic National Committee;
6 (H) [~~(G)~~] Dorna Sports;
7 (I) [~~(H)~~] the Elite Rodeo Association;
8 (J) [~~(I)~~] Encore Live;
9 (K) [~~(J)~~] ESPN or an affiliate;
10 (L) [~~(K)~~] the Federation Internationale de
11 Football Association (FIFA);
12 (M) [~~(L)~~] the International World Games
13 Association;
14 (N) [~~(M)~~] Major League Baseball;
15 (O) [~~(N)~~] Major League Soccer;
16 (P) [~~(O)~~] the National Association for Stock Car
17 Auto Racing (NASCAR);
18 (Q) [~~(P)~~] the National Basketball Association;
19 (R) [~~(Q)~~] the National Collegiate Athletic
20 Association;
21 (S) [~~(R)~~] the National Cutting Horse
22 Association;
23 (T) [~~(S)~~] the National Football League;
24 (U) [~~(T)~~] the National Hockey League;
25 (V) the National Hot Rod Association;
26 (W) [~~(U)~~] the National Reined Cow Horse
27 Association (NRCHA);

1 (X) [~~(V)~~] the Professional Rodeo Cowboys
2 Association;
3 (Y) [~~(W)~~] the Republican National Committee;
4 (Z) [~~(X)~~] the Ultimate Fighting Championship;
5 (AA) [~~(Y)~~] the United States Golf Association;
6 (BB) [~~(Z)~~] the United States Olympic Committee;
7 (CC) [~~(AA)~~] World Wrestling Entertainment; or
8 (DD) [~~(BB)~~] the national governing body of a
9 sport that is recognized by:

- 10 (i) the Federation Internationale de
11 l'Automobile;
12 (ii) Formula One Management Limited;
13 (iii) the National Thoroughbred Racing
14 Association; or
15 (iv) the United States Olympic Committee.

16 SECTION 10.006. Section 478.0053, Government Code, as
17 amended by Chapter 10 (H.B. 1472), Acts of the 87th Legislature,
18 Regular Session, 2021, is amended to conform to the amendment of
19 Section 478.0001(3), Government Code, by Chapter 915 (H.B. 3607),
20 Acts of the 87th Legislature, Regular Session, 2021, to read as
21 follows:

22 Sec. 478.0053. EXEMPTION FROM CERTAIN ELIGIBILITY
23 REQUIREMENT FOR CERTAIN LARGE VENUES. Section 478.0051(b)(1) does
24 not apply to an event described by Section 478.0001(3)(J)
25 [~~478.0001(3)(H)~~]. If an endorsing municipality or endorsing county
26 requests the office to make a determination under Section 478.0102
27 for an event described by Section 478.0001(3)(J) [~~478.0001(3)(H)~~],

1 the remaining provisions of this chapter apply to that event as if
2 the event satisfied the eligibility requirements under Section
3 478.0051(b)(1).

4 SECTION 10.007. Section 508.151(a), Government Code, is
5 amended to conform to the amendment of Article 42A.054(a), Code of
6 Criminal Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th
7 Legislature, Regular Session, 2019, to read as follows:

8 (a) For the purpose of diverting inmates to halfway houses
9 under Section 508.118, a parole panel, after reviewing all
10 available pertinent information, may designate a presumptive
11 parole date for an inmate who:

12 (1) has never been convicted of an offense listed
13 under Article 42A.054(a), Code of Criminal Procedure, or an offense
14 under Section [~~20A.03 or~~] 21.02, Penal Code; and

15 (2) has never had a conviction with a judgment that
16 contains an affirmative finding under Article 42A.054(c) or (d),
17 Code of Criminal Procedure.

18 SECTION 10.008. Section 2273.004(a), Government Code, is
19 amended to correct a reference to read as follows:

20 (a) The attorney general may bring an action in the name of
21 the state to enjoin a violation of Section 2273.003 [~~2272.003~~]. The
22 attorney general may recover reasonable attorney's fees and costs
23 incurred in bringing an action under this subsection.

24 ARTICLE 11. CHANGES RELATING TO HEALTH AND SAFETY CODE

25 SECTION 11.001. Section 62.1571, Health and Safety Code, as
26 amended by Chapters 624 (H.B. 4) and 811 (H.B. 2056), Acts of the
27 87th Legislature, Regular Session, 2021, is reenacted and amended

1 to read as follows:

2 Sec. 62.1571. TELEMEDICINE MEDICAL SERVICES, [~~AND~~]
3 TELEDENTISTRY DENTAL SERVICES, AND TELEHEALTH SERVICES. (a) In
4 providing covered benefits to a child, a health plan provider must
5 permit benefits to be provided through telemedicine medical
6 services, [~~and~~] teledentistry dental services, and telehealth
7 services in accordance with policies developed by the commission.

8 (b) The policies must provide for:

9 (1) the availability of covered benefits
10 appropriately provided through telemedicine medical services,
11 [~~and~~] teledentistry dental services, and [~~or~~] telehealth services
12 that are comparable to the same types of covered benefits provided
13 without the use of telemedicine medical services, [~~and~~]
14 teledentistry dental services, and [~~or~~] telehealth services; and

15 (2) the availability of covered benefits for different
16 services performed by multiple health care providers during a
17 single session of telemedicine medical services, teledentistry
18 dental services, or both services, or of telehealth services, if
19 the executive commissioner determines that delivery of the covered
20 benefits in that manner is cost-effective in comparison to the
21 costs that would be involved in obtaining the services from
22 providers without the use of telemedicine medical services, [~~or~~]
23 teledentistry dental services, or telehealth services, including
24 the costs of transportation and lodging and other direct costs.

25 (c) In this section, "teledentistry dental service, " [~~and~~]
26 "telehealth service, " and "telemedicine medical service" have the
27 meanings assigned by Section 531.001, Government Code.

SECTION 11.002. Sections 481.134(b) and (c), Health and Safety Code, as amended by Chapters 584 (S.B. 768) and 807 (H.B. 1540), Acts of the 87th Legislature, Regular Session, 2021, are reenacted to read as follows:

(b) An offense otherwise punishable as a state jail felony under Section 481.112, 481.1121, 481.1123, 481.113, 481.114, or 481.120 is punishable as a felony of the third degree, an offense otherwise punishable as a felony of the third degree under any of those sections is punishable as a felony of the second degree, and an offense otherwise punishable as a felony of the second degree under any of those sections is punishable as a felony of the first degree, if it is shown at the punishment phase of the trial of the offense that the offense was committed:

(1) in, on, or within 1,000 feet of premises owned, rented, or leased by an institution of higher learning, the premises of a public or private youth center, or a playground;

(2) in, on, or within 300 feet of the premises of a public swimming pool or video arcade facility; or

(3) by any unauthorized person 18 years of age or older, in, on, or within 1,000 feet of premises owned, rented, or leased by a general residential operation operating as a residential treatment center.

(c) The minimum term of confinement or imprisonment for an offense otherwise punishable under Section 481.112(c), (d), (e), or (f), 481.1121(b)(2), (3), or (4), 481.1123(c), (d), (e), or (f), 481.113(c), (d), or (e), 481.114(c), (d), or (e), 481.115(c)-(f), 481.1151(b)(2), (3), (4), or (5), 481.116(c), (d), or (e),

1 481.1161(b)(4), (5), or (6), 481.117(c), (d), or (e), 481.118(c),
2 (d), or (e), 481.120(b)(4), (5), or (6), or 481.121(b)(4), (5), or
3 (6) is increased by five years and the maximum fine for the offense
4 is doubled if it is shown on the trial of the offense that the
5 offense was committed:

6 (1) in, on, or within 1,000 feet of the premises of a
7 school, the premises of a public or private youth center, or a
8 playground;

9 (2) on a school bus; or

10 (3) by any unauthorized person 18 years of age or
11 older, in, on, or within 1,000 feet of premises owned, rented, or
12 leased by a general residential operation operating as a
13 residential treatment center.

14 SECTION 11.003. Section 692A.020(i), Health and Safety
15 Code, is amended to correct a typographical error to read as
16 follows:

17 (i) The Glenda Dawson Donate Life-Texas Registry fund is
18 created as a trust fund outside the state treasury to be held by the
19 comptroller and administered by the Department of Public Safety as
20 trustee on behalf of the statewide donor registry maintained for
21 the benefit of the citizens of this state. The fund is composed of
22 money deposited to the credit of the fund under Sections
23 502.405(b), 521.008, and 521.422(c), Transportation Code, as
24 provided by those sections [~~subsections~~]. Money in the fund shall
25 be disbursed at least monthly, without appropriation, to the
26 nonprofit organization administering the registry to pay the costs
27 of:

1 (1) maintaining, operating, and updating the
2 Internet-based registry and establishing procedures for an
3 individual to be added to the registry;

4 (2) designing and distributing educational materials
5 for prospective donors as required under this section; and

6 (3) providing education under this chapter.

7 SECTION 11.004. Section 711.002(a), Health and Safety Code,
8 is amended to correct a reference to read as follows:

9 (a) Except as provided by Subsection (1), unless a decedent
10 has left directions in writing for the disposition of the
11 decedent's remains as provided in Subsection (g), the following
12 persons, in the priority listed, have the right to control the
13 disposition, including cremation, of the decedent's remains, shall
14 inter the remains, and in accordance with Subsection (a-3) [~~(a-1)~~]
15 are liable for the reasonable cost of interment:

16 (1) the person designated in a written instrument
17 signed by the decedent;

18 (2) the decedent's surviving spouse;

19 (3) any one of the decedent's surviving adult
20 children;

21 (4) either one of the decedent's surviving parents;

22 (5) any one of the decedent's surviving adult
23 siblings;

24 (6) any one or more of the duly qualified executors or
25 administrators of the decedent's estate; or

26 (7) any adult person in the next degree of kinship in
27 the order named by law to inherit the estate of the decedent.

SECTION 11.005. Section 771.060, Health and Safety Code, is amended to correct a reference to read as follows:

Sec. 771.060. BUSINESS PROVIDING RESIDENTIAL TELEPHONE SWITCHES. A business service user that provides residential facilities and owns or leases a private telephone switch used to provide telephone service to facility residents shall provide to those residential end users the same level of 9-1-1 service that a service supplier is providing to other residential end users in the area participating in the regional plan under Section 771.051(a)(2) [~~771.051(2)~~].

ARTICLE 12. CHANGES RELATING TO HUMAN RESOURCES CODE

SECTION 12.001. Section 42.048(e), Human Resources Code, as amended by Chapters 37 (S.B. 863) and 547 (S.B. 225), Acts of the 87th Legislature, Regular Session, 2021, is reenacted to read as follows:

(e) A license issued under this chapter is not transferable and applies only to the operator stated in the license application. A change in ownership automatically revokes a license.

ARTICLE 13. CHANGES RELATING TO INSURANCE CODE

SECTION 13.001. The heading to Subchapter C, Chapter 1109, Insurance Code, is repealed to conform to the repeal of Section 1109.101, Insurance Code, by Section 18(2), Chapter 52 (H.B. 1514), Acts of the 87th Legislature, Regular Session, 2021.

ARTICLE 14. CHANGES RELATING TO LABOR CODE

SECTION 14.001. Section 51.016(h), Labor Code, as amended by Chapters 79 (S.B. 315) and 942 (S.B. 766), Acts of the 87th Legislature, Regular Session, 2021, is reenacted to read as

1 follows:

2 (h) The commission, the attorney general, or a law
3 enforcement agency may inspect a record maintained under this
4 section and request proof of E-verify program information
5 verification if there is good reason to believe that an individual
6 younger than 21 years of age is employed or has been employed by, or
7 has entered into a contract, other than a contract described by
8 Subsection (g), for the performance of work or the provision of a
9 service with, the sexually oriented business within the five years
10 preceding the date of the inspection.

11 ARTICLE 15. CHANGES RELATING TO NATURAL RESOURCES CODE

12 SECTION 15.001. Section 51.131(a), Natural Resources Code,
13 is amended to correct a reference to read as follows:

14 (a) For each lease issued under this subchapter for
15 agricultural or grazing purposes, the commissioner may require the
16 lessee to implement a soil and water conservation plan approved by
17 the commissioner. The commissioner, in reviewing a plan, and the
18 lessee, in implementing a plan, may be assisted by the United States
19 Department of Agriculture Natural Resources Conservation Service.

20 SECTION 15.002. Section 81.073, Natural Resources Code, as
21 added by Chapter 931 (H.B. 3648), Acts of the 87th Legislature,
22 Regular Session, 2021, is repealed as duplicative of Section
23 81.073, Natural Resources Code, as added by Chapter 426 (S.B. 3),
24 Acts of the 87th Legislature, Regular Session, 2021.

25 ARTICLE 16. CHANGES RELATING TO OCCUPATIONS CODE

26 SECTION 16.001. Section 51.002, Occupations Code, as
27 amended by Chapters 663 (H.B. 1560) and 850 (S.B. 713), Acts of the

1 87th Legislature, Regular Session, 2021, is reenacted to read as
2 follows:

3 Sec. 51.002. APPLICATION OF SUNSET ACT. The Texas
4 Commission of Licensing and Regulation and the Texas Department of
5 Licensing and Regulation are subject to Chapter 325, Government
6 Code (Texas Sunset Act). Unless continued in existence as provided
7 by that chapter, the commission and the department are abolished
8 September 1, 2033.

9 SECTION 16.002. Section 568.003(a), Occupations Code, is
10 amended to correct cross-references to conform to Chapter 1463
11 (H.B. 2950), Acts of the 77th Legislature, Regular Session, 2001,
12 to read as follows:

13 (a) The board may take disciplinary action under Section
14 568.0035 against an applicant for or the holder of a current or
15 expired pharmacy technician or pharmacy technician trainee
16 registration if the board determines that the applicant or
17 registrant has:

18 (1) violated this subtitle or a rule adopted under
19 this subtitle;

20 (2) engaged in gross immorality, as that term is
21 defined by the rules of the board;

22 (3) engaged in any fraud, deceit, or
23 misrepresentation, as those terms are defined by the rules of the
24 board, in seeking a registration to act as a pharmacy technician or
25 pharmacy technician trainee;

26 (4) been convicted of or placed on deferred
27 adjudication community supervision or deferred disposition or the

1 applicable federal equivalent for:

2 (A) a misdemeanor:

3 (i) involving moral turpitude; or

4 (ii) under Chapter 481 or 483, Health and
5 Safety Code, or the Comprehensive Drug Abuse Prevention and Control
6 Act of 1970 (21 U.S.C. Section 801 et seq.); or

7 (B) a felony;

8 (5) developed an incapacity that prevents the
9 applicant or registrant from practicing as a pharmacy technician or
10 pharmacy technician trainee with reasonable skill, competence, and
11 safety to the public;

12 (6) violated:

13 (A) Chapter 481 or 483, Health and Safety Code,
14 or rules relating to those chapters;

15 (B) Sections 485.031-485.034 [~~485.031-485.035~~],
16 Health and Safety Code; or

17 (C) a rule adopted under Section 485.002
18 [~~485.011~~], Health and Safety Code;

19 (7) violated the pharmacy or drug laws or rules of this
20 state, another state, or the United States;

21 (8) performed duties in a pharmacy that only a
22 pharmacist may perform, as defined by the rules of the board;

23 (9) used alcohol or drugs in an intemperate manner
24 that, in the board's opinion, could endanger a patient's life;

25 (10) engaged in negligent, unreasonable, or
26 inappropriate conduct when working in a pharmacy;

27 (11) violated a disciplinary order;

1 (12) been convicted or adjudicated of a criminal
2 offense that requires registration as a sex offender under Chapter
3 62, Code of Criminal Procedure; or

4 (13) been disciplined by a pharmacy or other health
5 regulatory board of this state or another state for conduct
6 substantially equivalent to conduct described by this subsection.

7 SECTION 16.003. The heading to Subchapter K, Chapter 701,
8 Occupations Code, is repealed to conform to the repeal of Section
9 701.512, Occupations Code, by Chapter 663 (H.B. 1560), Acts of the
10 87th Legislature, Regular Session, 2021.

11 ARTICLE 17. CHANGES RELATING TO PENAL CODE

12 SECTION 17.001. Section 12.35(c), Penal Code, is amended to
13 conform to the amendment of Article 42A.054(a), Code of Criminal
14 Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th
15 Legislature, Regular Session, 2019, to read as follows:

16 (c) An individual adjudged guilty of a state jail felony
17 shall be punished for a third degree felony if it is shown on the
18 trial of the offense that:

19 (1) a deadly weapon as defined by Section 1.07 was used
20 or exhibited during the commission of the offense or during
21 immediate flight following the commission of the offense, and that
22 the individual used or exhibited the deadly weapon or was a party to
23 the offense and knew that a deadly weapon would be used or
24 exhibited; or

25 (2) the individual has previously been finally
26 convicted of any felony:

27 (A) under Section [~~20A.03 or~~] 21.02 or listed in

Article 42A.054(a), Code of Criminal Procedure; or

(B) for which the judgment contains an affirmative finding under Article 42A.054(c) or (d), Code of Criminal Procedure.

SECTION 17.002. Section 42.03, Penal Code, as amended by Chapters 197 (H.B. 9) and 949 (S.B. 1495), Acts of the 87th Legislature, Regular Session, 2021, is amended by reenacting and amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as otherwise provided by Subsections (c-1), (d), and (e), an offense under this section is a Class B misdemeanor.

(c-1) An offense under this section [~~, except that the offense~~] is a state jail felony if, in committing the offense, the actor knowingly:

(1) prevents the passage of an authorized emergency vehicle, as defined by Section 541.201, Transportation Code, that is operating the vehicle's emergency audible or visual signals required by Section 546.003, Transportation Code; or

(2) obstructs access to a hospital licensed under Chapter 241, Health and Safety Code, or other health care facility that provides emergency medical care, as defined by Section 773.003, Health and Safety Code.

SECTION 17.003. Section 43.02(c-2), Penal Code, as added by Chapters 807 (H.B. 1540) and 1049 (S.B. 1831), Acts of the 87th Legislature, Regular Session, 2021, is transferred to Section 43.021, Penal Code, redesignated as Section 43.021(b-1), Penal Code, and amended to read as follows:

1 (b-1) [~~(c-2)~~] The punishment prescribed for an offense
2 under Subsection (a) [~~(b)~~] is increased to the punishment
3 prescribed for the next highest category of offense if it is shown
4 on the trial of the offense that the actor committed the offense in
5 a location that was:

6 (1) on the premises of or within 1,000 feet of the
7 premises of a school; or

8 (2) on premises or within 1,000 feet of premises
9 where:

10 (A) an official school function was taking place;
11 or

12 (B) an event sponsored or sanctioned by the
13 University Interscholastic League was taking place.

14 SECTION 17.004. Sections 46.035(b), (c), and (d), Penal
15 Code, as amended by Chapter 481 (H.B. 2112) and Chapter 518 (S.B.
16 550), Acts of the 87th Legislature, Regular Session, 2021, are
17 repealed to conform to the repeal of Section 46.035, Penal Code, by
18 Chapter 809 (H.B. 1927), Acts of the 87th Legislature, Regular
19 Session, 2021.

20 SECTION 17.005. Section 46.06(a), Penal Code, is amended to
21 correct a reference to read as follows:

22 (a) A person commits an offense if the person:

23 (1) sells, rents, leases, loans, or gives a handgun to
24 any person knowing that the person to whom the handgun is to be
25 delivered intends to use it unlawfully or in the commission of an
26 unlawful act;

27 (2) intentionally or knowingly sells, rents, leases,

1 or gives or offers to sell, rent, lease, or give to any child
2 younger than 18 years of age any firearm, club, or
3 location-restricted knife;

4 (3) intentionally, knowingly, or recklessly sells a
5 firearm or ammunition for a firearm to any person who is
6 intoxicated;

7 (4) knowingly sells a firearm or ammunition for a
8 firearm to any person who has been convicted of a felony before the
9 fifth anniversary of the later of the following dates:

10 (A) the person's release from confinement
11 following conviction of the felony; or

12 (B) the person's release from supervision under
13 community supervision, parole, or mandatory supervision following
14 conviction of the felony;

15 (5) sells, rents, leases, loans, or gives a handgun to
16 any person knowing that an active protective order is directed to
17 the person to whom the handgun is to be delivered;

18 (6) knowingly purchases, rents, leases, or receives as
19 a loan or gift from another a handgun while an active protective
20 order is directed to the actor; or

21 (7) while prohibited from possessing a firearm under
22 state or federal law, knowingly makes a material false statement on
23 a form that is:

24 (A) required by state or federal law for the
25 purchase, sale, or other transfer of a firearm; and

26 (B) submitted to a [~~licensed~~] firearms dealer
27 licensed under [~~as defined by~~] 18 U.S.C. Section 923.

ARTICLE 18. CHANGES RELATING TO PROPERTY CODE

SECTION 18.001. Section 5.018, Property Code, is repealed to conform to the expiration of Title 16, Property Code, on September 1, 2009.

ARTICLE 19. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

SECTION 19.001. Section 1013.104(b), Special District Local Laws Code, is amended to correct a typographical error to read as follows:

(b) The hospital system may include:

(1) facilities and equipment for domiciliary ~~[domiciliary]~~ care and treatment of sick, injured, or geriatric patients;

(2) outpatient clinics;

(3) convalescent home facilities;

(4) physicians' offices; and

(5) any other facilities or equipment the board considers necessary for hospital purposes.

SECTION 19.002. Section 1100.064(a), Special District Local Laws Code, is amended to correct a typographical error to read as follows:

(a) The district may spend district money to recruit physicians ~~[physicians]~~, nurses, or other trained medical personnel.

ARTICLE 20. CHANGES RELATING TO TAX CODE

SECTION 20.001. (a) Section 5.102(a), Tax Code, is amended to conform to the amendment of Section 5.102, Tax Code, by Chapter 490 (H.B. 3384), Acts of the 86th Legislature, Regular Session,

1 2019, to read as follows:

2 (a) At least once every two years, the comptroller shall
3 review the governance of each appraisal district, the taxpayer
4 assistance provided by each appraisal district, and the operating
5 and appraisal standards, procedures, and methodology used by each
6 appraisal district, to determine compliance with generally
7 accepted standards, procedures, and methodology, including
8 compliance with standards, procedures, and methodology prescribed
9 by any appraisal manuals required by law to be prepared and issued
10 by the comptroller. ~~[After consultation with the property tax~~
11 ~~administration advisory board, the comptroller by rule may~~
12 ~~establish procedures and standards for conducting and scoring the~~
13 ~~review.]~~

14 (b) Section 5.102(a-2), Tax Code, is amended to conform to
15 the amendment of Section 5.102(a), Tax Code, by Chapter 944 (S.B.
16 2), Acts of the 86th Legislature, Regular Session, 2019, to read as
17 follows:

18 (a-2) After consultation with the property tax
19 administration advisory board ~~[committee created under Section~~
20 ~~403.302, Government Code]~~, the comptroller by rule may establish
21 procedures and standards for conducting and scoring a review under
22 this section.

23 SECTION 20.002. Section 171.0002(c), Tax Code, is amended to
24 correct a reference to read as follows:

25 (c) "Taxable entity" does not include an entity that is:

26 (1) a grantor trust as defined by Sections 671 and
27 7701(a)(30)(E), Internal Revenue Code, all of the grantors and

1 beneficiaries of which are natural persons or charitable entities
2 as described in Section 501(c)(3), Internal Revenue Code, excluding
3 a trust taxable as a business entity pursuant to Treasury
4 Regulation Section 301.7701-4(b);

5 (2) an estate of a natural person as defined by Section
6 7701(a)(30)(D), Internal Revenue Code, excluding an estate taxable
7 as a business entity pursuant to Treasury Regulation Section
8 301.7701-4(b);

9 (3) an escrow;

10 (4) a real estate investment trust (REIT) as defined
11 by Section 856, Internal Revenue Code, and its "qualified REIT
12 subsidiary" entities as defined by Section 856(i)(2), Internal
13 Revenue Code, provided that:

14 (A) a REIT with any amount of its assets in direct
15 holdings of real estate, other than real estate it occupies for
16 business purposes, as opposed to holding interests in limited
17 partnerships or other entities that directly hold the real estate,
18 is a taxable entity; and

19 (B) a limited partnership or other entity that
20 directly holds the real estate as described in Paragraph (A) is not
21 exempt under this subdivision, without regard to whether a REIT
22 holds an interest in it;

23 (5) a real estate mortgage investment conduit (REMIC),
24 as defined by Section 860D, Internal Revenue Code;

25 (6) a nonprofit self-insurance trust created under
26 Chapter 2212, Insurance Code, or a predecessor statute;

27 (7) a trust qualified under Section 401(a), Internal

1 Revenue Code;

2 (8) a trust or other entity that is exempt under
3 Section 501(c)(9), Internal Revenue Code; or

4 (9) an unincorporated entity organized as a political
5 committee under the Election Code or the provisions of the Federal
6 Election Campaign Act of 1971 (52 U.S.C. Section 30101 et seq.) [~~2~~
7 ~~U.S.C. Section 431 et seq.~~].

8 ARTICLE 21. CHANGES RELATING TO TRANSPORTATION CODE

9 SECTION 21.001. Section 503.0626(c), Transportation Code,
10 is amended to correct a reference to read as follows:

11 (c) Before a dealer's or converter's temporary tag may be
12 displayed on a vehicle, the dealer or converter must enter into the
13 database through the Internet information on the vehicle and
14 information about the dealer or converter as prescribed by the
15 department. Except as provided by Section 503.0632(f)
16 [~~506.0632(f)~~], the department may not deny access to the database
17 to any dealer who holds a general distinguishing number issued
18 under this chapter or who is licensed under Chapter 2301,
19 Occupations Code, or to any converter licensed under Chapter 2301,
20 Occupations Code.

21 SECTION 21.002. Section 503.0631(c), Transportation Code,
22 is amended to correct a reference to read as follows:

23 (c) Except as provided by Subsection (d), before a buyer's
24 temporary tag may be displayed on a vehicle, a dealer must enter
25 into the database through the Internet information about the buyer
26 of the vehicle for which the tag was issued as prescribed by the
27 department and generate a vehicle-specific number for the tag as

1 required by Section 503.063(e). Except as provided by Section
2 503.0632(f) [~~506.0632(f)~~], the department may not deny access to
3 the database to any dealer who holds a general distinguishing
4 number issued under this chapter or who is licensed under Chapter
5 2301, Occupations Code.

6 SECTION 21.003. Section 644.101(c), Transportation Code,
7 as amended by Chapters 74 (H.B. 2749) and 429 (S.B. 901), Acts of
8 the 87th Legislature, Regular Session, 2021, is reenacted and
9 amended to read as follows:

10 (c) A sheriff or a deputy sheriff of any of the following
11 counties is eligible to apply for certification under this section:

- 12 (1) a county bordering the United Mexican States;
13 (2) a county with a population of less than 1,000, part
14 of which is located within 75 miles of an international border;
15 (3) a county with a population of 700,000 or more;
16 (4) a county with a population of 400,000 or more that
17 borders the county in which the State Capitol is located; [~~or~~]
18 (5) a county with a population of less than 250,000
19 that:

20 (A) is adjacent to two counties that each have a
21 population of more than 1.2 million; and

22 (B) contains two highways that are part of the
23 national system of interstate and defense highways;

24 (6) [~~(5)~~] a county:

25 (A) any part of which is within 30 miles of New
26 Mexico; and

27 (B) that is adjacent to two or more counties that

1 generated \$100 million or more in tax revenue collected under
2 Chapters 201 and 202, Tax Code, from oil and gas production during
3 the preceding state fiscal year; or

4 (7) [~~(6)~~] a county with a population of more than
5 40,000 and less than 300,000 that is adjacent to a county described
6 by Subdivision (4).

7 ARTICLE 22. CHANGES RELATING TO UTILITIES CODE

8 SECTION 22.001. Section 31.002(6), Utilities Code, as
9 amended by Chapters 255 (H.B. 1572) and 389 (S.B. 1202), Acts of the
10 87th Legislature, Regular Session, 2021, is reenacted and amended
11 to read as follows:

12 (6) "Electric utility" means a person or river
13 authority that owns or operates for compensation in this state
14 equipment or facilities to produce, generate, transmit,
15 distribute, sell, or furnish electricity in this state. The term
16 includes a lessee, trustee, or receiver of an electric utility and a
17 recreational vehicle park owner who does not comply with Subchapter
18 C, Chapter 184, with regard to the metered sale of electricity at
19 the recreational vehicle park. The term does not include:

- 20 (A) a municipal corporation;
21 (B) a qualifying facility;
22 (C) a power generation company;
23 (D) an exempt wholesale generator;
24 (E) a power marketer;
25 (F) a corporation described by Section 32.053 to
26 the extent the corporation sells electricity exclusively at
27 wholesale and not to the ultimate consumer;

- (G) an electric cooperative;
- (H) a retail electric provider;
- (I) this state or an agency of this state; or
- (J) a person not otherwise an electric utility

who:

(i) furnishes an electric service or commodity only to itself, its employees, or its tenants as an incident of employment or tenancy, if that service or commodity is not resold to or used by others;

(ii) owns or operates in this state equipment or facilities to produce, generate, transmit, distribute, sell, or furnish electric energy to an electric utility, if the equipment or facilities are used primarily to produce and generate electric energy for consumption by that person;

(iii) owns or operates in this state a recreational vehicle park that provides metered electric service in accordance with Subchapter C, Chapter 184; ~~or~~

(iv) owns or operates equipment used solely to provide electricity charging service for consumption by an alternatively fueled vehicle, as defined by Section 502.004, Transportation Code; or

(v) ~~[(iv)]~~ is an electric generation equipment lessor or operator.

SECTION 22.002. Sections 33.0211(c) and (d), Utilities Code, are amended to correct typographical errors to read as follows:

1 (c) If a municipally owned utility has not transferred funds
2 to the defunding municipality described by Subsection (a) in the
3 immediately preceding 12 months, the municipally owned utility may
4 increase its rates to account for:

5 (1) pass-through charges imposed by a state regulatory
6 body or the independent organization certified under Section
7 39.151;

8 (2) fuel, hedging, or wholesale power cost increases;
9 or

10 (3) fulfillment of [~~to fulfill~~] debt obligations or
11 compliance [~~comply~~] with Chapter 1502, Government Code.

12 (d) A municipally owned utility that increases rates under
13 [~~this~~] Subsection (c) may not transfer funds to the defunding
14 municipality described by Subsection (a) until the date the
15 criminal justice division of the governor's office issues a written
16 determination in accordance with Section 109.005, Local Government
17 Code, finding that the municipality described by Subsection (a) has
18 reversed the reduction described by Section 109.003(1), Local
19 Government Code.

20 SECTION 22.003. (a) Section 39.002, Utilities Code, as
21 amended by Chapters 950 (S.B. 1580) and 908 (H.B. 4492), Acts of the
22 87th Legislature, Regular Session, 2021, is reenacted and amended
23 to read as follows:

24 Sec. 39.002. APPLICABILITY. This chapter, other than
25 Sections 39.151, 39.1516, 39.155, 39.157(e), [~~39.159, 39.160,~~]
26 39.161, 39.162, 39.163, 39.203, 39.904, 39.9051, 39.9052, and
27 39.914(e), and Subchapters M and N, does not apply to a municipally

1 owned utility or an electric cooperative. Sections 39.157(e),
2 39.203, and 39.904, however, apply only to a municipally owned
3 utility or an electric cooperative that is offering customer
4 choice. If there is a conflict between the specific provisions of
5 this chapter and any other provisions of this title, except for
6 Chapters 40 and 41, the provisions of this chapter control.

7 (b) Sections 39.159 and 39.160, Utilities Code, as added by
8 Chapter 950 (S.B. 1580), Acts of the 87th Legislature, Regular
9 Session, 2021, are redesignated as Sections 39.161 and 39.162,
10 Utilities Code, respectively.

11 (c) Section 39.159, Utilities Code, as added by Chapter 908
12 (H.B. 4492), Acts of the 87th Legislature, Regular Session, 2021,
13 is redesignated as Section 39.163, Utilities Code.

14 (d) Section 39.159, Utilities Code, as added by Chapter 73
15 (H.B. 2586), Acts of the 87th Legislature, Regular Session, 2021,
16 is redesignated as Section 39.164, Utilities Code.

17 (e) Section 39.159, Utilities Code, as added by Chapter 876
18 (S.B. 1281), Acts of the 87th Legislature, Regular Session, 2021,
19 is redesignated as Section 39.165, Utilities Code.

20 SECTION 22.004. Section 39.918(b), Utilities Code, is
21 amended to correct a reference to read as follows:

22 (b) Notwithstanding any other provision of this subtitle, a
23 transmission and distribution utility may:

24 (1) lease and operate facilities that provide
25 temporary emergency electric energy to aid in restoring power to
26 the utility's distribution customers during a widespread power
27 outage in which:

1 (A) the independent system operator has ordered
2 the utility to shed load; or

3 (B) the utility's distribution facilities are
4 not being fully served by the bulk power system under normal
5 operations; and

6 (2) procure, own, and operate, or enter into a
7 cooperative agreement with other transmission and distribution
8 utilities to procure, own, and operate jointly, transmission and
9 distribution facilities that have a lead time of at least six months
10 and would aid in restoring power to the utility's distribution
11 customers following a widespread power outage. In this section,
12 long lead time facilities may not be electric energy storage
13 equipment or facilities under Chapter 35[~~, Utilities Code~~].

14 ARTICLE 23. CHANGES RELATING TO REVISED STATUTES

15 SECTION 23.001. The following provisions are repealed to
16 conform to the repeal of the substance of the chapters:

17 (1) the heading to Chapter 18, Title 32, Revised
18 Statutes;

19 (2) the heading to Chapter 4, Title 70, Revised
20 Statutes; and

21 (3) the heading to Chapter 1, Title 71, Revised
22 Statutes.

23 ARTICLE 24. REDESIGNATIONS

24 SECTION 24.001. The following provisions of enacted codes
25 are redesignated to eliminate duplicate citations:

26 (1) Chapter 113, Business & Commerce Code, as added by
27 Chapter 561 (S.B. 398), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Chapter 115, Business & Commerce
2 Code, and Sections 113.001, 113.002, 113.003, 113.004, and 113.005,
3 Business & Commerce Code, as added by that Act, are redesignated as
4 Sections 115.001, 115.002, 115.003, 115.004, and 115.005, Business
5 & Commerce Code, respectively.

6 (2) Chapter 113, Business & Commerce Code, as added by
7 Chapter 975 (S.B. 2116), Acts of the 87th Legislature, Regular
8 Session, 2021, is redesignated as Chapter 117, Business & Commerce
9 Code, and Sections 113.001, 113.002, and 113.003, Business &
10 Commerce Code, as added by that Act, are redesignated as Sections
11 117.001, 117.002, and 117.003, Business & Commerce Code,
12 respectively.

13 (3) Chapter 114, Business & Commerce Code, as added by
14 Chapter 305 (S.B. 911), Acts of the 87th Legislature, Regular
15 Session, 2021, is redesignated as Chapter 118, Business & Commerce
16 Code, and Sections 114.0001, 114.0002, 114.0003, 114.0004, and
17 114.0005, Business & Commerce Code, as added by that Act, are
18 redesignated as Sections 118.0001, 118.0002, 118.0003, 118.0004,
19 and 118.0005, Business & Commerce Code, respectively.

20 (4) Chapter 116, Business & Commerce Code, as added by
21 Chapter 512 (S.B. 291), Acts of the 87th Legislature, Regular
22 Session, 2021, is redesignated as Chapter 119, Business & Commerce
23 Code, and Section 116.0001, Business & Commerce Code, as added by
24 that Act, is redesignated as Section 119.0001, Business & Commerce
25 Code.

26 (5) Chapter 608, Business & Commerce Code, as added by
27 Chapter 245 (H.B. 1372), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Chapter 609, Business & Commerce
2 Code, and Section 608.001, Business & Commerce Code, as added by
3 that Act, is redesignated as Section 609.001, Business & Commerce
4 Code.

5 (6) Article 2.33, Code of Criminal Procedure, as added
6 by Chapter 534 (S.B. 69), Acts of the 87th Legislature, Regular
7 Session, 2021, is redesignated as Article 2.34, Code of Criminal
8 Procedure.

9 (7) Article 2.33, Code of Criminal Procedure, as added
10 by Chapter 979 (S.B. 2212), Acts of the 87th Legislature, Regular
11 Session, 2021, is redesignated as Article 2.35, Code of Criminal
12 Procedure.

13 (8) Subsection (a-1), Article 7B.001, Code of Criminal
14 Procedure, as added by Chapter 846 (S.B. 623), Acts of the 87th
15 Legislature, Regular Session, 2021, is redesignated as Subsection
16 (a-3), Article 7B.001, Code of Criminal Procedure.

17 (9) Subsection (g), Section 11.175, Education Code, as
18 added by Chapter 1045 (S.B. 1267), Acts of the 87th Legislature,
19 Regular Session, 2021, is redesignated as Subsection (h-1), Section
20 11.175, Education Code.

21 (10) Subdivision (4), Section 21.001, Education Code,
22 as added by Chapter 215 (H.B. 159), Acts of the 87th Legislature,
23 Regular Session, 2021, is redesignated as Subdivision (3-a),
24 Section 21.001, Education Code.

25 (11) Section 33.0832, Education Code, as added by
26 Chapter 235 (H.B. 1080), Acts of the 87th Legislature, Regular
27 Session, 2021, is redesignated as Section 33.0833, Education Code.

1 (12) Subchapter E, Chapter 109, Education Code, as
2 added by Chapter 417 (H.B. 1522), Acts of the 87th Legislature,
3 Regular Session, 2021, is redesignated as Subchapter F, Chapter
4 109, Education Code, and Sections 109.201, 109.202, 109.203,
5 109.204, and 109.205, Education Code, as added by that Act, are
6 redesignated as Sections 109.251, 109.252, 109.253, 109.254, and
7 109.255, Education Code, respectively.

8 (13) Section 1001.1021, Education Code, as added by
9 Chapter 924 (H.B. 3212), Acts of the 87th Legislature, Regular
10 Session, 2021, is redesignated as Section 1001.1022, Education
11 Code.

12 (14) Section 31.126, Election Code, as added by
13 Chapter 360 (S.B. 231), Acts of the 87th Legislature, Regular
14 Session, 2021, is redesignated as Section 31.127, Election Code.

15 (15) Subchapter R, Chapter 403, Government Code, as
16 added by Chapter 659 (H.B. 1505), Acts of the 87th Legislature,
17 Regular Session, 2021, is redesignated as Subchapter S, Chapter
18 403, Government Code, and Sections 403.501, 403.502, and 403.503,
19 Government Code, as added by that Act, are redesignated as Sections
20 403.551, 403.552, and 403.553, Government Code, respectively.

21 (16) Section 411.184, Government Code, as added by
22 Chapter 1026 (H.B. 1069), Acts of the 87th Legislature, Regular
23 Session, 2021, is redesignated as Section 411.1883, Government
24 Code.

25 (17) Subchapter J, Chapter 418, Government Code, as
26 added by Chapter 863 (S.B. 968), Acts of the 87th Legislature,
27 Regular Session, 2021, is redesignated as Subchapter I, Chapter

1 418, Government Code, and Sections 418.301, 418.302, 418.303,
2 418.304, 418.305, 418.306, and 418.307, Government Code, as added
3 by that Act, are redesignated as Sections 418.251, 418.252,
4 418.253, 418.254, 418.255, 418.256, and 418.257, Government Code,
5 respectively.

6 (18) Section 434.027, Government Code, as added by
7 Chapter 157 (S.B. 886), Acts of the 87th Legislature, Regular
8 Session, 2021, is redesignated as Section 434.028, Government Code.

9 (19) Subchapter CC, Chapter 481, Government Code, as
10 added by Chapter 847 (S.B. 678), Acts of the 87th Legislature,
11 Regular Session, 2021, is redesignated as Subchapter EE, Chapter
12 481, Government Code.

13 (20) Subsection (f), Section 825.4092, Government
14 Code, as added by Chapter 511 (S.B. 288), Acts of the 87th
15 Legislature, Regular Session, 2021, is redesignated as Subsection
16 (g), Section 825.4092, Government Code.

17 (21) Chapter 2274, Government Code, as added by
18 Chapter 975 (S.B. 2116), Acts of the 87th Legislature, Regular
19 Session, 2021, is redesignated as Chapter 2275, Government Code,
20 and Sections 2274.0101, 2274.0102, and 2274.0103, Government Code,
21 as added by that Act, are redesignated as Sections 2275.0101,
22 2275.0102, and 2275.0103, Government Code, respectively.

23 (22) Chapter 2274, Government Code, as added by
24 Chapter 529 (S.B. 13), Acts of the 87th Legislature, Regular
25 Session, 2021, is redesignated as Chapter 2276, Government Code,
26 and Sections 2274.001 and 2274.002, Government Code, as added by
27 that Act, are redesignated as Sections 2276.001 and 2276.002,

1 respectively.

2 (23) Chapter 2274, Government Code, as added by
3 Chapter 833 (S.B. 4), Acts of the 87th Legislature, Regular
4 Session, 2021, is redesignated as Chapter 2277, Government Code,
5 and Sections 2274.001, 2274.002, and 2274.003, Government Code, as
6 added by that Act, are redesignated as Sections 2277.001, 2277.002,
7 and 2277.003, respectively.

8 (24) Chapter 260C, Health and Safety Code, as added by
9 Chapter 732 (H.B. 3961), Acts of the 87th Legislature, Regular
10 Session, 2021, is redesignated as Chapter 260D, Health and Safety
11 Code, and Sections 260C.001 and 260C.002, Health and Safety Code,
12 as added by that Act, are redesignated as Sections 260D.001 and
13 260D.002, respectively.

14 (25) Subsection (ll), Section 32.024, Human Resources
15 Code, as added by Chapter 966 (S.B. 1921), Acts of the 87th
16 Legislature, Regular Session, 2021, is redesignated as Subsection
17 (mm), Section 32.024, Human Resources Code.

18 (26) Subchapter M, Chapter 544, Insurance Code, as
19 added by Chapter 71 (H.B. 317), Acts of the 87th Legislature,
20 Regular Session, 2021, is redesignated as Subchapter N, Chapter
21 544, Insurance Code, and Sections 544.601, 544.602, and 544.603,
22 Insurance Code, as added by that Act, are redesignated as Sections
23 544.651, 544.652, and 544.653, Insurance Code, respectively.

24 (27) Subchapter L, Chapter 1369, Insurance Code, as
25 added by Chapter 142 (H.B. 1763), Acts of the 87th Legislature,
26 Regular Session, 2021, is redesignated as Subchapter M, Chapter
27 1369, Insurance Code, and Sections 1369.551, 1369.552, 1369.553,

1 1369.554, 1369.555, 1369.556, 1369.557, 1369.558, 1369.559, and
2 1369.560, Insurance Code, as added by that Act, are redesignated as
3 Sections 1369.601, 1369.602, 1369.603, 1369.604, 1369.605,
4 1369.606, 1369.607, 1369.608, 1369.609, and 1369.610, Insurance
5 Code, respectively.

6 (28) Section 43.004, Local Government Code, as added
7 by Chapter 103 (S.B. 1338), Acts of the 87th Legislature, Regular
8 Session, 2021, is redesignated as Section 43.005, Local Government
9 Code.

10 (29) Section 180.008, Local Government Code, as added
11 by Chapter 685 (H.B. 2073), Acts of the 87th Legislature, Regular
12 Session, 2021, is redesignated as Section 180.009, Local Government
13 Code.

14 (30) Section 250.011, Local Government Code, as added
15 by Chapter 315 (H.B. 738), Acts of the 87th Legislature, Regular
16 Session, 2021, is redesignated as Section 250.012, Local Government
17 Code.

18 (31) Section 250.011, Local Government Code, as added
19 by Chapter 978 (S.B. 2188), Acts of the 87th Legislature, Regular
20 Session, 2021, is redesignated as Section 250.013, Local Government
21 Code.

22 (32) Subsection (b), Section 153.084, Natural
23 Resources Code, as added by Chapter 330 (H.B. 2004), Acts of the
24 87th Legislature, Regular Session, 2021, is redesignated as
25 Subsection (b-1), Section 153.084, Natural Resources Code.

26 (33) Section 1701.269, Occupations Code, as added by
27 Chapter 708 (H.B. 2831), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Section 1701.271, Occupations
2 Code.

3 (34) Subsection (m), Section 46.15, Penal Code, as
4 added by Chapter 1026 (H.B. 1069), Acts of the 87th Legislature,
5 Regular Session, 2021, is redesignated as Subsection (r), Section
6 46.15, Penal Code.

7 (35) Subsection (m), Section 25.19, Tax Code, as added
8 by Chapter 209 (H.B. 2723), Acts of the 87th Legislature, Regular
9 Session, 2021, is redesignated as Subsection (l-1), Section 25.19,
10 Tax Code.

11 (36) Subsection (b-4), Section 41.45, Tax Code, as
12 added by Chapter 965 (S.B. 1919), Acts of the 87th Legislature,
13 Regular Session, 2021, is redesignated as Subsection (b-6), Section
14 41.45, Tax Code.

15 (37) Section 201.623, Transportation Code, as added by
16 Chapter 898 (H.B. 3319), Acts of the 87th Legislature, Regular
17 Session, 2021, is redesignated as Section 201.624, Transportation
18 Code.

19 (38) Section 225.190, Transportation Code, as added by
20 Chapter 87 (S.B. 730), Acts of the 87th Legislature, Regular
21 Session, 2021, is redesignated as Section 225.201, Transportation
22 Code.

23 (39) Section 225.190, Transportation Code, as added by
24 Chapter 97 (S.B. 1124), Acts of the 87th Legislature, Regular
25 Session, 2021, is redesignated as Section 225.202, Transportation
26 Code.

27 (40) Section 225.190, Transportation Code, as added by

1 Chapter 153 (H.B. 2431), Acts of the 87th Legislature, Regular
2 Session, 2021, is redesignated as Section 225.203, Transportation
3 Code.

4 (41) Section 225.190, Transportation Code, as added by
5 Chapter 266 (H.B. 2167), Acts of the 87th Legislature, Regular
6 Session, 2021, is redesignated as Section 225.204, Transportation
7 Code.

8 (42) Section 225.190, Transportation Code, as added by
9 Chapter 301 (S.B. 787), Acts of the 87th Legislature, Regular
10 Session, 2021, is redesignated as Section 225.205, Transportation
11 Code.

12 (43) Section 225.190, Transportation Code, as added by
13 Chapter 388 (S.B. 1185), Acts of the 87th Legislature, Regular
14 Session, 2021, is redesignated as Section 225.206, Transportation
15 Code.

16 (44) Section 225.190, Transportation Code, as added by
17 Chapter 447 (H.B. 532), Acts of the 87th Legislature, Regular
18 Session, 2021, is redesignated as Section 225.207, Transportation
19 Code.

20 (45) Section 225.190, Transportation Code, as added by
21 Chapter 607 (S.B. 1208), Acts of the 87th Legislature, Regular
22 Session, 2021, is redesignated as Section 225.208, Transportation
23 Code.

24 (46) Section 225.190, Transportation Code, as added by
25 Chapter 646 (H.B. 1115), Acts of the 87th Legislature, Regular
26 Session, 2021, is redesignated as Section 225.209, Transportation
27 Code.

1 (47) Section 225.190, Transportation Code, as added by
2 Chapter 654 (H.B. 1321), Acts of the 87th Legislature, Regular
3 Session, 2021, is redesignated as Section 225.210, Transportation
4 Code.

5 (48) Section 225.190, Transportation Code, as added by
6 Chapter 699 (H.B. 2521), Acts of the 87th Legislature, Regular
7 Session, 2021, is redesignated as Section 225.211, Transportation
8 Code.

9 (49) Section 225.190, Transportation Code, as added by
10 Chapter 707 (H.B. 2807), Acts of the 87th Legislature, Regular
11 Session, 2021, is redesignated as Section 225.212, Transportation
12 Code.

13 (50) Section 225.190, Transportation Code, as added by
14 Chapter 925 (H.B. 3324), Acts of the 87th Legislature, Regular
15 Session, 2021, is redesignated as Section 225.213, Transportation
16 Code.

17 (51) Section 225.190, Transportation Code, as added by
18 Chapter 927 (H.B. 3512), Acts of the 87th Legislature, Regular
19 Session, 2021, is redesignated as Section 225.214, Transportation
20 Code.

21 (52) Section 225.190, Transportation Code, as added by
22 Chapter 930 (H.B. 3630), Acts of the 87th Legislature, Regular
23 Session, 2021, is redesignated as Section 225.215, Transportation
24 Code.

25 (53) Section 225.190, Transportation Code, as added by
26 Chapter 956 (S.B. 1704), Acts of the 87th Legislature, Regular
27 Session, 2021, is redesignated as Section 225.216, Transportation

1 Code.

2 (54) Section 504.327, Transportation Code, as added by
3 Chapter 130 (H.B. 3401), Acts of the 87th Legislature, Regular
4 Session, 2021, is redesignated as Section 504.328, Transportation
5 Code.

6 (55) Section 504.327, Transportation Code, as added by
7 Chapter 302 (S.B. 791), Acts of the 87th Legislature, Regular
8 Session, 2021, is redesignated as Section 504.329, Transportation
9 Code.

10 (56) Section 504.327, Transportation Code, as added by
11 Chapter 326 (H.B. 1936), Acts of the 87th Legislature, Regular
12 Session, 2021, is redesignated as Section 504.330, Transportation
13 Code.

14 (57) Section 504.675, Transportation Code, as added by
15 Chapter 286 (H.B. 4080), Acts of the 87th Legislature, Regular
16 Session, 2021, is redesignated as Section 504.676, Transportation
17 Code.

18 (58) Section 504.675, Transportation Code, as added by
19 Chapter 673 (H.B. 1863), Acts of the 87th Legislature, Regular
20 Session, 2021, is redesignated as Section 504.677, Transportation
21 Code.

22 (59) Section 504.675, Transportation Code, as added by
23 Chapter 870 (S.B. 1123), Acts of the 87th Legislature, Regular
24 Session, 2021, is redesignated as Section 504.678, Transportation
25 Code.

26 (60) Section 521.013, Transportation Code, as added by
27 Chapter 818 (H.B. 2497), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Section 521.014, Transportation
2 Code.

3 (61) Section 35.037, Utilities Code, as added by
4 Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular
5 Session, 2021, is redesignated as Section 35.038, Utilities Code.

6 SECTION 24.002. The following changes are made to conform
7 the provisions amended to the redesignating changes made by Section
8 24.001 of this Act and to correct cross-references:

9 (1) Section 115.004, Business & Commerce Code, as
10 redesignated from Section 113.004, Business & Commerce Code, by
11 Section 24.001 of this Act, is amended to read as follows:

12 Sec. 115.004 [~~113.004~~]. ADDITIONAL DISCLOSURES FOR LEASE
13 AGREEMENTS. In addition to the disclosures required under Section
14 115.003 [~~113.003~~], a lessor shall provide to a leasing residential
15 or small commercial customer in writing:

16 (1) the term and rate of the lease, including any
17 payment escalators or other terms that affect the customer's
18 payments; and

19 (2) a statement of whether the lease and any
20 applicable warranty or maintenance agreement is transferable to a
21 subsequent purchaser of the property where the distributed
22 renewable generation resource is installed.

23 (2) Section 115.005, Business & Commerce Code, as
24 redesignated from Section 113.005, Business & Commerce Code, by
25 Section 24.001 of this Act, is amended to read as follows:

26 Sec. 115.005 [~~113.005~~]. DISCLOSURES FOR POWER PURCHASE
27 AGREEMENTS. A residential or small commercial customer who enters

1 into a power purchase agreement is entitled to receive in writing:

2 (1) the disclosures required under Sections
3 115.003(1) [~~113.003(1)~~], (2), (5), and (6);

4 (2) the term and rate of the power purchase agreement,
5 including any payment escalators or other terms that affect the
6 customer's payments; and

7 (3) whether the power purchase agreement and any
8 applicable warranty or maintenance agreement is transferable to a
9 subsequent purchaser of the property where the distributed
10 renewable generation resource is installed.

11 (3) Section 117.001(4), Business & Commerce Code, as
12 redesignated from Section 113.001(4), Business & Commerce Code, by
13 Section 24.001 of this Act, is amended to read as follows:

14 (4) "Designated country" means a country designated by
15 the governor as a threat to critical infrastructure under Section
16 117.003 [~~113.003~~].

17 (4) Section 118.0002, Business & Commerce Code, as
18 redesignated from Section 114.0002, Business & Commerce Code, by
19 Section 24.001 of this Act, is amended to read as follows:

20 Sec. 118.0002 [~~114.0002~~]. PROHIBITED ACTS. A third-party
21 food delivery service may not:

22 (1) arrange for the delivery or pickup of food or
23 beverages from a restaurant in this state unless the service has
24 filed a certificate of formation or registration with the secretary
25 of state;

26 (2) use a restaurant's mark or trade name in connection
27 with the service in a misleading way that suggests the restaurant

sponsors or endorses the service;

(3) add a restaurant removed from the service under Section 118.0003 [~~114.0003~~] to the service unless the service has received written consent from the restaurant to add the restaurant to the service; or

(4) charge a restaurant a fee or require the restaurant to absorb a fee in connection with the service's arrangement of an order from that restaurant unless the restaurant has agreed to pay or absorb the fee under an agreement that meets the requirements of Section 118.0004 [~~114.0004~~].

(5) Section 118.0003, Business & Commerce Code, as redesignated from Section 114.0003, Business & Commerce Code, by Section 24.001 of this Act, is amended to read as follows:

Sec. 118.0003 [~~114.0003~~]. REQUIREMENTS FOR SERVICE. A third-party food delivery service shall:

(1) provide a consumer a clearly identified mechanism for the consumer to express concerns or complaints directly to the service regarding an order arranged through the service; and

(2) remove a restaurant from the service not later than the 10th day after the date the service receives a request from the restaurant to be removed from the service if the service does not have an agreement with the restaurant that meets the requirements of Section 118.0004 [~~114.0004~~].

(6) Section 403.551, Government Code, as redesignated from Section 403.501, Government Code, by Section 24.001 of this Act, is amended to read as follows:

Sec. 403.551 [~~403.501~~]. DEFINITIONS. In this subchapter:

(1) "Pole replacement fund" means the broadband pole replacement fund established under Section 403.552 [~~403.502~~].

(2) "Pole replacement program" means the Texas Broadband Pole Replacement Program established under Section 403.553 [~~403.503~~].

(7) Section 403.552(c), Government Code, as redesignated from Section 403.502(c), Government Code, by Section 24.001 of this Act, is amended to read as follows:

(c) Money deposited to the credit of the pole replacement fund may be used only for the purpose of supporting the pole replacement program under Section 403.553 [~~403.503~~], including the costs of program administration and operation. Money in the pole replacement fund must be used in a manner consistent with federal law.

(8) Section 403.553(q), Government Code, as redesignated from Section 403.503(q), Government Code, by Section 24.001 of this Act, is amended to read as follows:

(q) Not later than one year after the date that the amount transferred to the pole replacement fund under Section 403.552(b) [~~403.502(b)~~] is exhausted, the comptroller shall identify, examine, and report on the deployment of broadband infrastructure and technology facilitated by the pole reimbursements the comptroller has awarded.

(9) Section 418.253, Government Code, as redesignated from Section 418.303, Government Code, by Section 24.001 of this Act, is amended to read as follows:

Sec. 418.253 [~~418.303~~]. EMERGENCY ASSISTANCE REGISTRY

1 ACCESS. The division shall authorize the following persons to
2 access the emergency assistance registry to assist medically
3 fragile individuals during an event described by Section 418.255
4 [~~418.305~~]:

- 5 (1) the commission;
- 6 (2) the department;
- 7 (3) first responders;
- 8 (4) local governments; and
- 9 (5) local health departments.

10 (10) Section 418.254, Government Code, as
11 redesignated from Section 418.304, Government Code, by Section
12 24.001 of this Act, is amended to read as follows:

13 Sec. 418.254 [~~418.304~~]. REQUIRED WELLNESS CHECK. The
14 division shall collaborate with the persons authorized to access
15 the emergency assistance registry under Section 418.253 [~~418.303~~]
16 and with applicable municipalities and counties to ensure that a
17 wellness check is conducted on each medically fragile individual
18 listed in the emergency assistance registry and located in an area
19 that experiences an event described by Section 418.255 [~~418.305~~] to
20 ensure the individual has:

- 21 (1) continuity of care; and
- 22 (2) the ability to continue using electrically powered
23 medical equipment, if applicable.

24 (11) Section 432.175, Government Code, is amended to
25 read as follows:

26 Sec. 432.175. PROTECTIVE ORDER. In accordance with
27 Article 7B.001(a-3) [~~7B.001(a-1)~~], Code of Criminal Procedure, and

1 with the consent of the person who is the victim of an offense under
2 Section 22.011, 22.012, or 22.021, Penal Code, alleged to have been
3 committed by a person subject to this chapter, the coordinator may
4 file an application for a protective order under Subchapter A,
5 Chapter 7B, Code of Criminal Procedure, on behalf of the victim.

6 (12) Section 2275.0101(4), Government Code, as
7 redesignated from Section 2274.0101(4), Government Code, by
8 Section 24.001 of this Act, is amended to read as follows:

9 (4) "Designated country" means a country designated by
10 the governor as a threat to critical infrastructure under Section
11 2275.0103 [~~2274.0103~~].

12 (13) Section 2277.003, Government Code, as
13 redesignated from Section 2274.003, Government Code, by Section
14 24.001 of this Act, is amended to read as follows:

15 Sec. 2277.003 [~~2274.003~~]. STRICT ADHERENCE TO DEFAULT
16 PROVISION. (a) A governmental entity that enters into an
17 agreement with a professional sports team shall strictly adhere to
18 the default provision required by Section 2277.002(2)
19 [~~2274.002(2)~~].

20 (b) If a governmental entity fails to timely adhere to the
21 default provision required under Section 2277.002(2)
22 [~~2274.002(2)~~], the attorney general may intervene to enforce the
23 provision.

24 (14) Section 179.051(a), Local Government Code, is
25 amended to read as follows:

26 (a) A municipality or county to which this chapter applies
27 and that employs or supervises first responders may not adopt or

1 enforce an ordinance, order, or other measure that generally
2 prohibits a first responder who holds a license to carry a handgun
3 under Subchapter H, Chapter 411, Government Code, an unexpired
4 certificate of completion from the department under Section
5 411.1883(d) [~~411.184(d)~~], Government Code, and the required
6 liability policy under Section 179.053 from:

7 (1) carrying a concealed or holstered handgun while on
8 duty; or

9 (2) storing a handgun on the premises of or in a
10 vehicle owned or leased by the municipality or county if the handgun
11 is secured with a device approved by the department under Section
12 411.1883(f) [~~411.184(f)~~], Government Code.

13 (15) Section 179.052(a), Local Government Code, is
14 amended to read as follows:

15 (a) A municipal or county department or private entity that
16 employs or supervises first responders providing services for a
17 municipality or county to which this chapter applies may adopt a
18 policy authorizing a first responder who is employed or supervised
19 by the municipal or county department or private entity and who
20 holds a license to carry a handgun under Subchapter H, Chapter 411,
21 Government Code, an unexpired certificate of completion from the
22 department under Section 411.1883(d) [~~411.184(d)~~], Government
23 Code, and the required liability policy under Section 179.053 to:

24 (1) carry a concealed or holstered handgun while on
25 duty; or

26 (2) store a handgun on the premises of or in a vehicle
27 owned or leased by the applicable municipality or county, or by the

1 private entity if the handgun is secured with a device approved by
2 the department under Section 411.1883(f) [~~411.184(f)~~], Government
3 Code.

4 (16) Section 179.054, Local Government Code, is
5 amended to read as follows:

6 Sec. 179.054. STORAGE OF HANDGUN. (a) A first responder
7 who enters a location where carrying a handgun is prohibited by
8 federal law or otherwise shall use a device approved by the
9 department under Section 411.1883(f) [~~411.184(f)~~], Government
10 Code, to secure and store the handgun.

11 (b) A first responder is responsible for procuring the
12 device approved by the department under Section 411.1883(f)
13 [~~411.184(f)~~], Government Code, or for reimbursing the first
14 responder's employer or supervisor for the use of a device provided
15 by the employer or supervisor.

16 (17) Section 250.011, Local Government Code, as added
17 by Chapter 305 (S.B. 911), Acts of the 87th Legislature, Regular
18 Session, 2021, is amended to read as follows:

19 Sec. 250.011. THIRD-PARTY FOOD DELIVERY SERVICES. (a) In
20 this section, "third-party food delivery service" has the meaning
21 assigned by Section 118.0001 [~~114.0001~~], Business & Commerce Code.

22 (b) Notwithstanding any other law, a municipality or county
23 may not adopt or enforce an ordinance or regulation to the extent
24 that the ordinance or regulation affects the terms of agreements
25 between third-party food delivery services and restaurants that
26 meet the requirements of Section 118.0004(a) [~~114.0004(a)~~],
27 Business & Commerce Code.

(18) Section 30.06(f-1), Penal Code, is amended to read as follows:

(f-1) It is a defense to prosecution under this section that the license holder is a first responder, as defined by Section 46.01, who:

(1) holds an unexpired certificate of completion under Section 411.1883 [~~411.184~~], Government Code, at the time of engaging in the applicable conduct;

(2) was engaged in the actual discharge of the first responder's duties while carrying the handgun; and

(3) was employed or supervised by a municipality or county to which Chapter 179, Local Government Code, applies.

(19) Section 30.07(g-1), Penal Code, is amended to read as follows:

(g-1) It is a defense to prosecution under this section that the license holder is a first responder, as defined by Section 46.01, who:

(1) holds an unexpired certificate of completion under Section 411.1883 [~~411.184~~], Government Code, at the time of engaging in the applicable conduct;

(2) was engaged in the actual discharge of the first responder's duties while carrying the handgun; and

(3) was employed or supervised by a municipality or county to which Chapter 179, Local Government Code, applies.

(20) Subsection (r), Section 46.15, Penal Code, as redesignated from Subsection (m), Section 46.15, Penal Code, by Section 24.001 of this Act, is amended to read as follows:

1 (r) [~~(m)~~] Sections 46.02, 46.03, and 46.035(b) and (c) do
2 not apply to a first responder who:

3 (1) was carrying a handgun in a concealed manner or in
4 a shoulder or belt holster;

5 (2) holds an unexpired certificate of completion under
6 Section 411.1883 [~~411.184~~], Government Code, at the time of
7 engaging in the applicable conduct;

8 (3) was engaged in the actual discharge of the first
9 responder's duties while carrying the handgun; and

10 (4) was employed or supervised by a municipality or
11 county to which Chapter 179, Local Government Code, applies.

12 (21) Section 504.202(e-1), Transportation Code, is
13 amended to read as follows:

14 (e-1) Other than license plates issued under Subsection
15 (h), license plates issued under this section may include, on
16 request:

17 (1) the emblem of the veteran's branch of service; or

18 (2) one emblem from another license plate to which the
19 person is entitled under Section 504.308, 504.309, 504.310(b),
20 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316,
21 504.3161, 504.318, 504.319, 504.320, 504.323, 504.325, [~~ex~~]
22 504.327, 504.328, or 504.330.

23 ARTICLE 25. EFFECTIVE DATE

24 SECTION 25.001. This Act takes effect September 1, 2023.

FLOOR AMENDMENT NO. _____

ADOPTED

BY: _____

MAY 17 2023

1 Amend H.B. No. 4595 in SECTION 24.002(20) of the bill, in
2 redesignated and amended Subsection (r), Section 46.15, Penal Code,
3 by striking "Sections 46.02, 46.03, and 46.035(b) and (c)" and
4 substituting "Sections 46.02 and [r] 46.03[~~r~~ and ~~46.035(b) and~~
5 ~~(c)~~]".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 18, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4595 by Leach (Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes and to the nonsubstantive codification or disposition of various laws omitted from enacted codes.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, CMA, KDw

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 12, 2023

TO: Honorable Bob Hall, Chair, Senate Committee on Administration

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4595 by Leach (Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes and to the nonsubstantive codification or disposition of various laws omitted from enacted codes.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, KDw, CMA

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 10, 2023

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4595 by Leach (Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes and to the nonsubstantive codification or disposition of various laws omitted from enacted codes.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, KDw, CMA