

Chapter 1236

S.B. No. 1296

AN ACT

relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.

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

ARTICLE 1. GENERAL PROVISIONS

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

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

(2) conforming codifications enacted by the 83rd Legislature to other Acts of that legislature that amended the laws codified or added new law to subject matter codified;

(3) making necessary corrections to enacted codifications; and

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

SECTION 1.002. (a) The repeal of a statute by this Act does not affect an amendment, revision, or reenactment of the statute by

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1 the 84th Legislature, Regular Session, 2015. The amendment,
2 revision, or reenactment is preserved and given effect as part of
3 the code provision that revised the statute so amended, revised, or
4 reenacted.

5 (b) If any provision of this Act conflicts with a statute
6 enacted by the 84th Legislature, Regular Session, 2015, the statute
7 controls.

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

11 (b) The repeal of a transition or saving provision by this
12 Act does not affect the application of the provision to the codified
13 law.

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

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20 affect in any manner a validation under the repealed law.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

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

ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

26 SECTION 2.001. Section 11.72, Alcoholic Beverage Code, as
27 amended by Chapters 451 (S.B. 828) and 1190 (S.B. 1090), Acts of the

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1 83rd Legislature, Regular Session, 2013, is reenacted and amended
2 to read as follows:

3 Sec. 11.72. DISCIPLINE FOR ACTIONS OF AGENT. The
4 commission or administrator may suspend or revoke the permit of a
5 person who is represented by the holder of an agent's permit under
6 Section 15.01, 35.01 [~~or a manufacturer's agent's permit as~~
7 ~~described by Section 36.01~~], or 36.01 or otherwise discipline the
8 person based on an act or omission of the holder of the agent's [~~or~~
9 ~~manufacturer's agent's~~] permit only if an individual employed by
10 the person in a supervisory position:

- 11 (1) was directly involved in the act or omission of the
12 holder of the agent's [~~or manufacturer's agent's~~] permit;
- 13 (2) had notice or knowledge of the act or omission; or
- 14 (3) failed to take reasonable steps to prevent the act
15 or omission.

16 SECTION 2.002. Section 14.01(a), Alcoholic Beverage Code,
17 as amended by Chapters 106 (S.B. 905), 195 (S.B. 642), and 1171
18 (S.B. 652), Acts of the 83rd Legislature, Regular Session, 2013, is
19 reenacted and amended to read as follows:

- 20 (a) The holder of a distiller's and rectifier's permit may:
 - 21 (1) manufacture distilled spirits;
 - 22 (2) rectify, purify, and refine distilled spirits and
23 wines;
 - 24 (3) mix wines, distilled spirits, or other liquors;
 - 25 (4) bottle, label, and package the permit holder's
26 finished products;
 - 27 (5) sell the finished products in this state to

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1 holders of wholesaler's permits and to qualified persons outside
2 the state;

3 (6) purchase distilled spirits, to be used only for
4 manufacturing or rectification purposes, from holders of
5 nonresident seller's permits or distiller's and rectifier's
6 permits;

7 (7) dispense free distilled spirits for consumption on
8 the permitted premises under Section 14.04; ~~and~~

9 (8) sell bulk alcohol produced by the permit holder to
10 holders of industrial permits in this state; and

11 (9) ~~(8)~~ if located in a wet area, sell distilled
12 spirits to ultimate consumers under Section 14.04 or 14.05.

13 ARTICLE 3. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

14 SECTION 3.001. Section 51.014(a), Civil Practice and
15 Remedies Code, as amended by Chapters 44 (H.B. 200) and 1042 (H.B.
16 2935), Acts of the 83rd Legislature, Regular Session, 2013, is
17 reenacted and amended to read as follows:

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

21 (1) appoints a receiver or trustee;

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

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

26 (4) grants or refuses a temporary injunction or grants
27 or overrules a motion to dissolve a temporary injunction as

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1 provided by Chapter 65;

2 (5) denies a motion for summary judgment that is based
3 on an assertion of immunity by an individual who is an officer or
4 employee of the state or a political subdivision of the state;

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

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

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

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

20 (10) grants relief sought by a motion under Section
21 74.351(1);

22 (11) denies a motion to dismiss filed under Section
23 90.007; ~~[or]~~

24 (12) denies a motion to dismiss filed under Section
25 27.003; or

26 (13) [~~(12)~~] denies a motion for summary judgment filed
27 by an electric utility regarding liability in a suit subject to

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1 Section 75.0022.

2 SECTION 3.002. Section 51.014(b), Civil Practice and
3 Remedies Code, as amended by Chapters 916 (H.B. 1366) and 1042 (H.B.
4 2935), Acts of the 83rd Legislature, Regular Session, 2013, is
5 reenacted to read as follows:

6 (b) An interlocutory appeal under Subsection (a), other
7 than an appeal under Subsection (a)(4) or in a suit brought under
8 the Family Code, stays the commencement of a trial in the trial
9 court pending resolution of the appeal. An interlocutory appeal
10 under Subsection (a)(3), (5), (8), or (12) also stays all other
11 proceedings in the trial court pending resolution of that appeal.

12 ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

13 SECTION 4.001. Articles 39.14(f) and (g), Code of Criminal
14 Procedure, are amended to correct references to read as follows:

15 (f) The attorney representing the defendant, or an
16 investigator, expert, consulting legal counsel, or agent for the
17 attorney representing the defendant, may allow a defendant,
18 witness, or prospective witness to view the information provided
19 under this article, but may not allow that person to have copies of
20 the information provided, other than a copy of the witness's own
21 statement. Before allowing that person to view a document or the
22 witness statement of another under this subsection, the person
23 possessing the information shall redact the address, telephone
24 number, driver's license number, social security number, date of
25 birth, and any bank account or other identifying numbers contained
26 in the document or witness statement. For purposes of this article
27 [~~section~~], the defendant may not be the agent for the attorney

1 representing the defendant.

2 (g) Nothing in this article [~~section~~] shall be interpreted
3 to limit an attorney's ability to communicate regarding his or her
4 case within the Texas Disciplinary Rules of Professional Conduct,
5 except for the communication of information identifying any victim
6 or witness, including name, except as provided in Subsections (e)
7 and (f), address, telephone number, driver's license number, social
8 security number, date of birth, and bank account information or any
9 information that by reference would make it possible to identify a
10 victim or a witness. Nothing in this subsection shall prohibit the
11 disclosure of identifying information to an administrative, law
12 enforcement, regulatory, or licensing agency for the purposes of
13 making a good faith complaint.

14 SECTION 4.002. Article 56.02(a), Code of Criminal
15 Procedure, as amended by Chapters 651 (H.B. 899) and 1345 (S.B.
16 1192), Acts of the 83rd Legislature, Regular Session, 2013, is
17 reenacted and amended to read as follows:

18 (a) A victim, guardian of a victim, or close relative of a
19 deceased victim is entitled to the following rights within the
20 criminal justice system:

21 (1) the right to receive from law enforcement agencies
22 adequate protection from harm and threats of harm arising from
23 cooperation with prosecution efforts;

24 (2) the right to have the magistrate take the safety of
25 the victim or his family into consideration as an element in fixing
26 the amount of bail for the accused;

27 (3) the right, if requested, to be informed:

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1 (A) by the attorney representing the state of
2 relevant court proceedings, including appellate proceedings, and
3 to be informed if those proceedings have been canceled or
4 rescheduled prior to the event; and

5 (B) by an appellate court of decisions of the
6 court, after the decisions are entered but before the decisions are
7 made public;

8 (4) the right to be informed, when requested, by a
9 peace officer concerning the defendant's right to bail and the
10 procedures in criminal investigations and by the district
11 attorney's office concerning the general procedures in the criminal
12 justice system, including general procedures in guilty plea
13 negotiations and arrangements, restitution, and the appeals and
14 parole process;

15 (5) the right to provide pertinent information to a
16 probation department conducting a presentencing investigation
17 concerning the impact of the offense on the victim and his family by
18 testimony, written statement, or any other manner prior to any
19 sentencing of the offender;

20 (6) the right to receive information regarding
21 compensation to victims of crime as provided by Subchapter B,
22 including information related to the costs that may be compensated
23 under that subchapter and the amount of compensation, eligibility
24 for compensation, and procedures for application for compensation
25 under that subchapter, the payment for a medical examination under
26 Article 56.06 for a victim of a sexual assault, and when requested,
27 to referral to available social service agencies that may offer

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1 additional assistance;

2 (7) the right to be informed, upon request, of parole
3 procedures, to participate in the parole process, to be notified,
4 if requested, of parole proceedings concerning a defendant in the
5 victim's case, to provide to the Board of Pardons and Paroles for
6 inclusion in the defendant's file information to be considered by
7 the board prior to the parole of any defendant convicted of any
8 crime subject to this subchapter, and to be notified, if requested,
9 of the defendant's release;

10 (8) the right to be provided with a waiting area,
11 separate or secure from other witnesses, including the offender and
12 relatives of the offender, before testifying in any proceeding
13 concerning the offender; if a separate waiting area is not
14 available, other safeguards should be taken to minimize the
15 victim's contact with the offender and the offender's relatives and
16 witnesses, before and during court proceedings;

17 (9) the right to prompt return of any property of the
18 victim that is held by a law enforcement agency or the attorney for
19 the state as evidence when the property is no longer required for
20 that purpose;

21 (10) the right to have the attorney for the state
22 notify the employer of the victim, if requested, of the necessity of
23 the victim's cooperation and testimony in a proceeding that may
24 necessitate the absence of the victim from work for good cause;

25 (11) the right to request victim-offender mediation
26 coordinated by the victim services division of the Texas Department
27 of Criminal Justice;

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1 (12) the right to be informed of the uses of a victim
2 impact statement and the statement's purpose in the criminal
3 justice system, to complete the victim impact statement, and to
4 have the victim impact statement considered:

5 (A) by the attorney representing the state and
6 the judge before sentencing or before a plea bargain agreement is
7 accepted; and

8 (B) by the Board of Pardons and Paroles before an
9 inmate is released on parole;

10 (13) for a victim of an assault or sexual assault who
11 is younger than 17 years of age or whose case involves family
12 violence, as defined by Section 71.004, Family Code, the right to
13 have the court consider the impact on the victim of a continuance
14 requested by the defendant; if requested by the attorney
15 representing the state or by counsel for the defendant, the court
16 shall state on the record the reason for granting or denying the
17 continuance; and

18 (14) [~~16~~] if the offense is a capital felony, the
19 right to:

20 (A) receive by mail from the court a written
21 explanation of defense-initiated victim outreach if the court has
22 authorized expenditures for a defense-initiated victim outreach
23 specialist;

24 (B) not be contacted by the victim outreach
25 specialist unless the victim, guardian, or relative has consented
26 to the contact by providing a written notice to the court; and

27 (C) designate a victim service provider to

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1 receive all communications from a victim outreach specialist acting
2 on behalf of any person.

3 SECTION 4.003. Article 56.02(c), Code of Criminal
4 Procedure, as amended by Chapters 651 (H.B. 899) and 1345 (S.B.
5 1192), Acts of the 83rd Legislature, Regular Session, 2013, is
6 reenacted to read as follows:

7 (c) The office of the attorney representing the state, and
8 the sheriff, police, and other law enforcement agencies shall
9 ensure to the extent practicable that a victim, guardian of a
10 victim, or close relative of a deceased victim is afforded the
11 rights granted by this article and Article 56.021 and, on request,
12 an explanation of those rights.

13 SECTION 4.004. Article 59.01(2), Code of Criminal
14 Procedure, as amended by Chapters 427 (S.B. 529) and 1357 (S.B.
15 1451), Acts of the 83rd Legislature, Regular Session, 2013, is
16 reenacted and amended to read as follows:

17 (2) "Contraband" means property of any nature,
18 including real, personal, tangible, or intangible, that is:

19 (A) used in the commission of:

20 (i) any first or second degree felony under
21 the Penal Code;

22 (ii) any felony under Section 15.031(b),
23 20.05, 21.11, 38.04, or Chapter 43, 20A, 29, 30, 31, 32, 33, 33A, or
24 35, Penal Code;

25 (iii) any felony under The Securities Act
26 (Article 581-1 et seq., Vernon's Texas Civil Statutes); or

27 (iv) any offense under Chapter 49, Penal

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1 Code, that is punishable as a felony of the third degree or state
2 jail felony, if the defendant has been previously convicted three
3 times of an offense under that chapter;

4 (B) used or intended to be used in the commission
5 of:

6 (i) any felony under Chapter 481, Health
7 and Safety Code (Texas Controlled Substances Act);

8 (ii) any felony under Chapter 483, Health
9 and Safety Code;

10 (iii) a felony under Chapter 151, Finance
11 Code;

12 (iv) any felony under Chapter 34, Penal
13 Code;

14 (v) a Class A misdemeanor under Subchapter
15 B, Chapter 365, Health and Safety Code, if the defendant has been
16 previously convicted twice of an offense under that subchapter;

17 (vi) any felony under Chapter 32, Human
18 Resources Code, or Chapter 31, 32, 35A, or 37, Penal Code, that
19 involves the state Medicaid program;

20 (vii) a Class B misdemeanor under Chapter
21 522, Business & Commerce Code;

22 (viii) a Class A misdemeanor under Section
23 306.051, Business & Commerce Code;

24 (ix) any offense under Section 42.10, Penal
25 Code;

26 (x) any offense under Section 46.06(a)(1)
27 or 46.14, Penal Code;

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1 (xi) any offense under Chapter 71, Penal
2 Code;

3 (xii) any offense under Section 20.05,
4 Penal Code; or

5 (xiii) [~~(xiv)~~] an offense under Section
6 326.002, Business & Commerce Code;

7 (C) the proceeds gained from the commission of a
8 felony listed in Paragraph (A) or (B) of this subdivision, a
9 misdemeanor listed in Paragraph (B)(vii), (ix), (x), or (xi) of
10 this subdivision, or a crime of violence;

11 (D) acquired with proceeds gained from the
12 commission of a felony listed in Paragraph (A) or (B) of this
13 subdivision, a misdemeanor listed in Paragraph (B)(vii), (ix), (x),
14 or (xi) of this subdivision, or a crime of violence;

15 (E) used to facilitate or intended to be used to
16 facilitate the commission of a felony under Section 15.031 or
17 43.25, Penal Code; or

18 (F) used to facilitate or intended to be used to
19 facilitate the commission of a felony under Section 20A.02 or
20 Chapter 43, Penal Code.

21 ARTICLE 5. CHANGES RELATING TO EDUCATION CODE

22 SECTION 5.001. (a) Section 7.111(a), Education Code, as
23 amended by Chapters 339 (H.B. 2058) and 1217 (S.B. 1536), Acts of
24 the 83rd Legislature, Regular Session, 2013, is reenacted to read
25 as follows:

26 (a) The board shall provide for the administration of high
27 school equivalency examinations.

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1 (b) Section 7.111(a-1), Education Code, is amended to
2 conform to the amendment of Section 7.111(a), Education Code, by
3 Chapter 1217 (S.B. 1536), Acts of the 83rd Legislature, Regular
4 Session, 2013, to read as follows:

5 (a-1) A person who does not have a high school diploma may
6 take the examination in accordance with rules adopted by the board
7 if the person is:

- 8 (1) over 17 years of age;
- 9 (2) 16 years of age or older and:

10 (A) is enrolled in a Job Corps training program
11 under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801
12 et seq.), and its subsequent amendments;

13 (B) a public agency providing supervision of the
14 person or having custody of the person under a court order
15 recommends that the person take the examination; or

16 (C) is enrolled in the Texas Military
17 Department's [~~adjutant-general's department's~~] Seaborne Challenge
18 Corps; or

19 (3) required to take the examination under a court
20 order.

21 SECTION 5.002. Section 25.007(b), Education Code, as
22 amended by Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of
23 the 83rd Legislature, Regular Session, 2013, is reenacted and
24 amended to read as follows:

25 (b) In recognition of the challenges faced by students in
26 substitute care, the agency shall assist the transition of
27 substitute care students from one school to another by:

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1 (1) ensuring that school records for a student in
2 substitute care are transferred to the student's new school not
3 later than the 10th working day after the date the student begins
4 enrollment at the school;

5 (2) developing systems to ease transition of a student
6 in substitute care during the first two weeks of enrollment at a new
7 school;

8 (3) developing procedures for awarding credit,
9 including partial credit if appropriate, for course work, including
10 electives, completed by a student in substitute care while enrolled
11 at another school;

12 (4) promoting practices that facilitate access by a
13 student in substitute care to extracurricular programs, summer
14 programs, credit transfer services, electronic courses provided
15 under Chapter 30A, and after-school tutoring programs at nominal or
16 no cost;

17 (5) establishing procedures to lessen the adverse
18 impact of the movement of a student in substitute care to a new
19 school;

20 (6) entering into a memorandum of understanding with
21 the Department of Family and Protective Services regarding the
22 exchange of information as appropriate to facilitate the transition
23 of students in substitute care from one school to another;

24 (7) encouraging school districts and open-enrollment
25 charter schools to provide services for a student in substitute
26 care in transition when applying for admission to postsecondary
27 study and when seeking sources of funding for postsecondary study;

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1 (8) requiring school districts, campuses, and
2 open-enrollment charter schools to accept a referral for special
3 education services made for a student in substitute care by a school
4 previously attended by the student;

5 (9) requiring school districts to provide notice to
6 the child's educational decision-maker and caseworker regarding
7 events that may significantly impact the education of a child,
8 including:

9 (A) requests or referrals for an evaluation under
10 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or
11 special education under Section 29.003;

12 (B) admission, review, and dismissal committee
13 meetings;

14 (C) manifestation determination reviews required
15 by Section 37.004(b);

16 (D) any disciplinary actions under Chapter 37 for
17 which parental notice is required;

18 (E) citations issued for Class C misdemeanor
19 offenses on school property or at school-sponsored activities;

20 (F) reports of restraint and seclusion required
21 by Section 37.0021; and

22 (G) use of corporal punishment as provided by
23 Section 37.0011; ~~and~~

24 (10) developing procedures for allowing a student in
25 substitute care who was previously enrolled in a course required
26 for graduation the opportunity, to the extent practicable, to
27 complete the course, at no cost to the student, before the beginning

1 of the next school year;

2 (11) ensuring that a student in substitute care who is
3 not likely to receive a high school diploma before the fifth school
4 year following the student's enrollment in grade nine, as
5 determined by the district, has the student's course credit accrual
6 and personal graduation plan reviewed; ~~and~~

7 (12) ensuring that a student in substitute care who is
8 in grade 11 or 12 be provided information regarding tuition and fee
9 exemptions under Section 54.366 for dual-credit or other courses
10 provided by a public institution of higher education for which a
11 high school student may earn joint high school and college credit;
12 and

13 (13) ~~[(10)]~~ providing other assistance as identified
14 by the agency.

15 SECTION 5.003. Section 39.0302(a), Education Code, is
16 amended to correct a reference to read as follows:

17 (a) During an agency investigation or audit of a school
18 district under Section 39.0301(e) or (f), an accreditation
19 investigation under Section 39.057(a)(8) or (14) ~~[(13)]~~, or an
20 investigation by the State Board for Educator Certification of an
21 educator for an alleged violation of an assessment instrument
22 security procedure established under Section 39.0301(a), the
23 commissioner may issue a subpoena to compel the attendance of a
24 relevant witness or the production, for inspection or copying, of
25 relevant evidence that is located in this state.

26 SECTION 5.004. Section 39.057(a), Education Code, as
27 amended by Chapters 211 (H.B. 5) and 509 (S.B. 123), Acts of the

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1 83rd Legislature, Regular Session, 2013, is reenacted and amended
2 to read as follows:

3 (a) The commissioner may authorize special accreditation
4 investigations to be conducted:

5 (1) when excessive numbers of absences of students
6 eligible to be tested on state assessment instruments are
7 determined;

8 (2) when excessive numbers of allowable exemptions
9 from the required state assessment instruments are determined;

10 (3) in response to complaints submitted to the agency
11 with respect to alleged violations of civil rights or other
12 requirements imposed on the state by federal law or court order;

13 (4) in response to established compliance reviews of
14 the district's financial accounting practices and state and federal
15 program requirements;

16 (5) when extraordinary numbers of student placements
17 in disciplinary alternative education programs, other than
18 placements under Sections 37.006 and 37.007, are determined;

19 (6) in response to an allegation involving a conflict
20 between members of the board of trustees or between the board and
21 the district administration if it appears that the conflict
22 involves a violation of a role or duty of the board members or the
23 administration clearly defined by this code;

24 (7) when excessive numbers of students in special
25 education programs under Subchapter A, Chapter 29, are assessed
26 through assessment instruments developed or adopted under Section
27 39.023(b);

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1 (8) in response to an allegation regarding or an
2 analysis using a statistical method result indicating a possible
3 violation of an assessment instrument security procedure
4 established under Section 39.0301, including for the purpose of
5 investigating or auditing a school district under that section;

6 (9) when a significant pattern of decreased academic
7 performance has developed as a result of the promotion in the
8 preceding two school years of students who did not perform
9 satisfactorily as determined by the commissioner under Section
10 39.0241(a) on assessment instruments administered under Section
11 39.023(a), (c), or (l);

12 (10) when excessive numbers of students eligible to
13 enroll fail to complete an Algebra II course or any other advanced
14 course as determined by the commissioner;

15 (11) when resource allocation practices as evaluated
16 under Section 39.0821 indicate a potential for significant
17 improvement in resource allocation;

18 (12) when a disproportionate number of students of a
19 particular demographic group is graduating with a particular
20 endorsement under Section 28.025(c-1);

21 (13) when an excessive number of students is
22 graduating with a particular endorsement under Section
23 28.025(c-1);

24 (14) [~~(13)~~] in response to a complaint submitted to
25 the agency with respect to alleged inaccurate data that is reported
26 through the Public Education Information Management System (PEIMS)
27 or through other reports required by state or federal law or rule or

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1 court order and that is used by the agency to make a determination
2 relating to public school accountability, including accreditation,
3 under this chapter; or

4 (15) [~~14~~] as the commissioner otherwise determines
5 necessary.

6 SECTION 5.0045. Section 54.5191(a), Education Code, is
7 amended to read as follows:

8 (a) The board of regents of the University of North Texas
9 System may charge each student enrolled at the University of North
10 Texas an intercollegiate athletics fee in an amount not to exceed
11 \$10 per semester credit hour for each semester or summer session
12 unless the amount is increased as provided by Subsection (g).

13 SECTION 5.0046. Section 54.5381(a), Education Code, is
14 amended to read as follows:

15 (a) The board of regents of the Texas State University
16 System may impose an intercollegiate athletics fee on each student
17 enrolled at a component institution of the Texas State University
18 System, other than Texas State University, in an amount not to
19 exceed:

20 (1) \$8.75 per semester credit hour for each regular
21 semester unless increased as provided by Subsection (d); and

22 (2) \$4.50 per semester credit hour for each summer
23 session unless increased as provided by Subsection (d).

24 SECTION 5.005. Section 58.001(a), Education Code, as
25 amended by Chapter 65 (S.B. 120), Acts of the 83rd Legislature,
26 Regular Session, 2013, is repealed to conform to the repeal of
27 Section 58.001, Education Code, by Chapter 1155 (S.B. 215), Acts of

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1 the 83rd Legislature, Regular Session, 2013.

2 SECTION 5.006. (a) Section 61.0662, Education Code, as
3 redesignated from Section 61.051(h), Education Code, and
4 transferred and amended by Chapter 1155 (S.B. 215), Acts of the 83rd
5 Legislature, Regular Session, 2013, is reenacted to incorporate
6 amendments to Section 61.051(h), Education Code, made by Chapter
7 507 (S.B. 67), Acts of the 83rd Legislature, Regular Session, 2013,
8 and amended to read as follows:

9 Sec. 61.0662. INFORMATION ON RESEARCH CONDUCTED BY
10 INSTITUTIONS. (a) The board shall maintain an inventory of all
11 institutional and programmatic research activities being conducted
12 by the various institutions of higher education, whether
13 state-financed or not.

14 (b) Once a year, on dates prescribed by the board, each
15 institution of higher education shall report to the board all
16 research conducted at that institution during the preceding year.
17 Each institution's report must include the amounts spent by the
18 institution on human embryonic stem cell research and adult stem
19 cell research during the year covered by the report and the source
20 of the funding for that research.

21 (c) All reports required by this section shall be made
22 subject to the limitations imposed by security regulations
23 governing defense contracts for research.

24 (d) Not later than January 1 of each year, the board shall
25 submit to the legislature information regarding human stem cell
26 research obtained by the board from reports required by this
27 section [~~subsection~~].

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1 (b) Section 61.051(h), Education Code, as amended by
2 Chapter 507 (S.B. 67), Acts of the 83rd Legislature, Regular
3 Session, 2013, is repealed.

4 SECTION 5.007. Section 61.051(i), Education Code, as
5 amended by Chapter 1312 (S.B. 59), Acts of the 83rd Legislature,
6 Regular Session, 2013, is repealed to conform to the repeal of that
7 subsection by Chapter 1155 (S.B. 215), Acts of the 83rd
8 Legislature, Regular Session, 2013.

9 SECTION 5.008. Section 73.115(g), Education Code, as added
10 by Chapter 1366 (S.B. 1604), Acts of the 83rd Legislature, Regular
11 Session, 2013, is repealed as duplicative of Section 73.115(g),
12 Education Code, as added by Chapter 1346 (S.B. 1195), Acts of the
13 83rd Legislature, Regular Session, 2013.

14 ARTICLE 6. CHANGES RELATING TO ELECTION CODE

15 SECTION 6.001. Section 143.003(b), Election Code, is
16 repealed as executed.

17 SECTION 6.002. Section 171.024(b), Election Code, as
18 amended by Chapters 1054 (H.B. 3102) and 1262 (H.B. 630), Acts of
19 the 83rd Legislature, Regular Session, 2013, is reenacted and
20 amended to read as follows:

21 (b) ~~[The state executive committee shall adopt rules~~
22 ~~regarding how many members of the county executive committee~~
23 ~~constitute a quorum for the purpose of filling a vacancy.]~~ A
24 majority of the committee's membership must participate in filling
25 a vacancy in the office of county chair. To be elected, a person
26 must receive a favorable vote of a majority of the members voting.

ARTICLE 7. CHANGES RELATING TO FAMILY CODE

SECTION 7.001. Section 31.006, Family Code, is amended to correct a reference to read as follows:

Sec. 31.006. EFFECT OF GENERAL REMOVAL. Except for specific constitutional and statutory age requirements, a minor whose disabilities are removed for general purposes has the capacity of an adult, including the capacity to contract. Except as provided by federal law, all educational rights accorded to the parent of a student, including the right to make education decisions under Section 151.001(a)(10) [~~151.003(a)(10)~~], transfer to the minor whose disabilities are removed for general purposes.

SECTION 7.002. Section 58.00711, Family Code, as amended by Chapters 1257 (H.B. 528) and 1319 (S.B. 394), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

Sec. 58.00711. RECORDS RELATING TO CHILDREN CHARGED WITH, [OR] CONVICTED OF, OR RECEIVING DEFERRED DISPOSITION FOR FINE-ONLY MISDEMEANORS. (a) This section applies only to a misdemeanor offense punishable by fine only, other than a traffic offense.

(b) Except as provided by Article 45.0217(b), Code of Criminal Procedure, all records and files and information stored by electronic means or otherwise, from which a record or file could be generated, relating to a child who is charged with, is convicted of, is found not guilty of, had a charge dismissed for, [~~or who has received a dismissal after deferral of disposition for~~] or is granted deferred disposition for an offense described by Subsection (a) are confidential and may not be disclosed to the public.

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1 SECTION 7.003. Section 58.204(b), Family Code, as amended
2 by Chapters 871 (H.B. 694) and 1299 (H.B. 2862), Acts of the 83rd
3 Legislature, Regular Session, 2013, is reenacted and amended to
4 read as follows:

5 (b) On certification of records in a case under Section
6 58.203, the department may permit access to the information in the
7 juvenile justice information system relating to the case of an
8 individual only:

9 (1) by a criminal justice agency for a criminal
10 justice purpose, as those terms are defined by Section 411.082,
11 Government Code;

12 (2) for research purposes, by the Texas Juvenile
13 Justice Department;

14 (3) by the person who is the subject of the records on
15 an order from the juvenile court granting the petition filed by or
16 on behalf of the person who is the subject of the records;

17 (4) with the permission of the juvenile court at the
18 request of the person who is the subject of the records; [~~or~~]

19 (5) with the permission of the juvenile court, by a
20 party to a civil suit if the person who is the subject of the records
21 has put facts relating to the person's records at issue in the suit;
22 or

23 (6) [~~(3)~~] with the written permission of the
24 individual, by military personnel, including a recruiter, of this
25 state or the United States if the individual is an applicant for
26 enlistment in the armed forces.

27 SECTION 7.004. Section 264.121(a-1), Family Code, as

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1 amended by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the
2 83rd Legislature, Regular Session, 2013, is reenacted and amended
3 to read as follows:

4 (a-1) The department shall require a foster care provider to
5 provide or assist youth who are age 14 or older in obtaining
6 experiential life-skills training to improve their transition to
7 independent living. Experiential life-skills training must be
8 tailored to a youth's skills and abilities and must include
9 training in practical activities that include grocery shopping,
10 meal preparation and cooking, [~~and~~] performing basic household
11 tasks, and, when appropriate, using public transportation.

12 SECTION 7.005. Section 264.121(f), Family Code, as amended
13 by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the 83rd
14 Legislature, Regular Session, 2013, is reenacted and amended to
15 read as follows:

16 (f) The department shall require a person with whom the
17 department contracts for transitional living services for foster
18 youth to provide or assist youth in obtaining:

- 19 (1) housing services;
- 20 (2) job training and employment services;
- 21 (3) college preparation services;
- 22 (4) services that will assist youth in obtaining a
23 general education development certificate;
- 24 (5) services that will assist youth in developing
25 skills in food preparation;
- 26 (6) nutrition education that promotes healthy food
27 choices; [~~and~~]

1 (7) [~~45~~] a savings or checking account if the youth
2 is at least 18 years of age and has a source of income; and

3 (8) [~~47~~] any other appropriate transitional living
4 service identified by the department.

5 ARTICLE 8. CHANGES RELATING TO FINANCE CODE

6 SECTION 8.001. Section 348.005, Finance Code, as amended by
7 Chapters 355 (H.B. 2462), 1135 (H.B. 2741), and 1287 (H.B. 2202),
8 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
9 and amended to read as follows:

10 Sec. 348.005. ITEMIZED CHARGE. An amount in a retail
11 installment contract is an itemized charge if the amount is not
12 included in the cash price and is the amount of:

13 (1) fees for registration, certificate of title, and
14 license and any additional registration fees charged by a deputy as
15 authorized by rules adopted under Section 520.0071 [~~520.008~~],
16 Transportation Code;

17 (2) any taxes;

18 (3) fees or charges prescribed by law and connected
19 with the sale or inspection of the motor vehicle; and

20 (4) charges authorized for insurance, service
21 contracts, warranties, automobile club memberships, or a debt
22 cancellation agreement by Subchapter C.

23 ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE

24 PART A. GENERAL CHANGES

25 SECTION 9.001. Section 411.081(d), Government Code, is
26 amended to correct an error in punctuation to read as follows:

27 (d) Notwithstanding any other provision of this subchapter,

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1 if a person is placed on deferred adjudication community
2 supervision under Section 5, Article 42.12, Code of Criminal
3 Procedure, subsequently receives a discharge and dismissal under
4 Section 5(c), Article 42.12, and satisfies the requirements of
5 Subsection (e), the person may petition the court that placed the
6 defendant on deferred adjudication for an order of nondisclosure
7 under this subsection. Except as provided by Subsection (e), a
8 person may petition the court for an order of nondisclosure
9 regardless of whether the person has been previously placed on
10 deferred adjudication community supervision for another offense.
11 After notice to the state, an opportunity for a hearing, and a
12 determination that the person is entitled to file the petition and
13 issuance of the order is in the best interest of justice, the court
14 shall issue an order prohibiting criminal justice agencies from
15 disclosing to the public criminal history record information
16 related to the offense giving rise to the deferred adjudication. A
17 criminal justice agency may disclose criminal history record
18 information that is the subject of the order only to other criminal
19 justice agencies[7] for criminal justice or regulatory licensing
20 purposes, an agency or entity listed in Subsection (i), or the
21 person who is the subject of the order. A person may petition the
22 court that placed the person on deferred adjudication for an order
23 of nondisclosure only on or after:

- 24 (1) the discharge and dismissal, if the offense for
- 25 which the person was placed on deferred adjudication was a
- 26 misdemeanor other than a misdemeanor described by Subdivision (2);
- 27 (2) the second anniversary of the discharge and

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1 dismissal, if the offense for which the person was placed on
2 deferred adjudication was a misdemeanor under Chapter 20, 21, 22,
3 25, 42, or 46, Penal Code; or

4 (3) the fifth anniversary of the discharge and
5 dismissal, if the offense for which the person was placed on
6 deferred adjudication was a felony.

7 SECTION 9.002. Section 411.081(i), Government Code, as
8 amended by Chapters 42 (S.B. 966), 266 (H.B. 729), and 583 (S.B.
9 869), Acts of the 83rd Legislature, Regular Session, 2013, is
10 reenacted and amended to read as follows:

11 (i) A criminal justice agency may disclose criminal history
12 record information that is the subject of an order of nondisclosure
13 under Subsection (d) to the following noncriminal justice agencies
14 or entities only:

- 15 (1) the State Board for Educator Certification;
- 16 (2) a school district, charter school, private school,
17 regional education service center, commercial transportation
18 company, or education shared service arrangement;
- 19 (3) the Texas Medical Board;
- 20 (4) the Texas School for the Blind and Visually
21 Impaired;
- 22 (5) the Board of Law Examiners;
- 23 (6) the State Bar of Texas;
- 24 (7) a district court regarding a petition for name
25 change under Subchapter B, Chapter 45, Family Code;
- 26 (8) the Texas School for the Deaf;
- 27 (9) the Department of Family and Protective Services;

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- 1 (10) the Texas Juvenile Justice Department;
- 2 (11) the Department of Assistive and Rehabilitative
- 3 Services;
- 4 (12) the Department of State Health Services, a local
- 5 mental health service, a local mental retardation authority, or a
- 6 community center providing services to persons with mental illness
- 7 or retardation;
- 8 (13) the Texas Private Security Board;
- 9 (14) a municipal or volunteer fire department;
- 10 (15) the Texas Board of Nursing;
- 11 (16) a safe house providing shelter to children in
- 12 harmful situations;
- 13 (17) a public or nonprofit hospital or hospital
- 14 district, or a facility as defined by Section 250.001, Health and
- 15 Safety Code;
- 16 (18) the securities commissioner, the banking
- 17 commissioner, the savings and mortgage lending commissioner, the
- 18 consumer credit commissioner, or the credit union commissioner;
- 19 (19) the Texas State Board of Public Accountancy;
- 20 (20) the Texas Department of Licensing and Regulation;
- 21 (21) the Health and Human Services Commission;
- 22 (22) the Department of Aging and Disability Services;
- 23 (23) the Texas Education Agency;
- 24 (24) the Judicial Branch Certification Commission;
- 25 (25) a county clerk's office in relation to a
- 26 proceeding for the appointment of a guardian under Title 3, Estates
- 27 [~~Chapter XIII, Texas Probate~~] Code;

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1 (26) the Department of Information Resources but only
2 regarding an employee, applicant for employment, contractor,
3 subcontractor, intern, or volunteer who provides network security
4 services under Chapter 2059 to:

- 5 (A) the Department of Information Resources; or
- 6 (B) a contractor or subcontractor of the
- 7 Department of Information Resources;

- 8 (27) the Texas Department of Insurance;
- 9 (28) the Teacher Retirement System of Texas; and
- 10 (29) [~~(30)~~] the Texas State Board of Pharmacy.

11 SECTION 9.003. Section 411.179(a), Government Code, as
12 amended by Chapters 396 (S.B. 164) and 1302 (H.B. 3142), Acts of the
13 83rd Legislature, Regular Session, 2013, is reenacted and amended
14 to read as follows:

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

- 17 (1) a number assigned to the license holder by the
- 18 department;
- 19 (2) a statement of the period for which the license is
- 20 effective;
- 21 (3) a color photograph of the license holder;
- 22 (4) the license holder's full name, date of birth, hair
- 23 and eye color, height, weight, and signature;
- 24 (5) the license holder's residence address or, as
- 25 provided by Subsection (d), the street address of the courthouse in
- 26 which the license holder or license holder's spouse serves as a
- 27 federal judge or the license holder serves as a state judge;

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

4 (7) [~~48~~] the designation "VETERAN" if required under
5 Subsection (e).

6 SECTION 9.004. Section 411.185(a), Government Code, as
7 amended by Chapters 156 (S.B. 864) and 1387 (H.B. 48), Acts of the
8 83rd Legislature, Regular Session, 2013, is reenacted to read as
9 follows:

10 (a) To renew a license, a license holder must, on or before
11 the date the license expires, submit to the department by mail or,
12 in accordance with the procedure adopted under Subsection (f), on
13 the Internet:

14 (1) a renewal application on a form provided by the
15 department;

16 (2) payment of a nonrefundable renewal fee as set by
17 the department; and

18 (3) the informational form described by Subsection (c)
19 signed or electronically acknowledged by the applicant.

20 SECTION 9.005. Section 411.188(a), Government Code, as
21 amended by Chapters 156 (S.B. 864) and 1302 (H.B. 3142), Acts of the
22 83rd Legislature, Regular Session, 2013, is amended to conform to
23 Chapter 1387 (H.B. 48), Acts of the 83rd Legislature, Regular
24 Session, 2013, to read as follows:

25 (a) The director by rule shall establish minimum standards
26 for handgun proficiency and shall develop a course to teach handgun
27 proficiency and examinations to measure handgun proficiency. The

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1 course to teach handgun proficiency is required for each person who
2 seeks to obtain [~~or renew~~] a license and must contain training
3 sessions divided into two parts. One part of the course must be
4 classroom instruction and the other part must be range instruction
5 and an actual demonstration by the applicant of the applicant's
6 ability to safely and proficiently use a handgun. An applicant must
7 be able to demonstrate, at a minimum, the degree of proficiency that
8 is required to effectively operate a handgun of .32 caliber or
9 above. The department shall distribute the standards, course
10 requirements, and examinations on request to any qualified handgun
11 instructor.

12 SECTION 9.006. Section 411.188(j), Government Code, as
13 amended by Chapter 156 (S.B. 864), Acts of the 83rd Legislature,
14 Regular Session, 2013, is repealed to conform to the repeal of
15 Section 411.188(j), Government Code, by Chapter 1387 (H.B. 48),
16 Acts of the 83rd Legislature, Regular Session, 2013.

17 SECTION 9.007. Section 411.199(e), Government Code, as
18 amended by Chapter 1302 (H.B. 3142), Acts of the 83rd Legislature,
19 Regular Session, 2013, is repealed to conform to the repeal of
20 Section 411.199(e), Government Code, by Chapter 1387 (H.B. 48),
21 Acts of the 83rd Legislature, Regular Session, 2013.

22 SECTION 9.008. Section 552.1175(a), Government Code, as
23 amended by Chapters 937 (H.B. 1632) and 1033 (H.B. 2733), Acts of
24 the 83rd Legislature, Regular Session, 2013, is reenacted and
25 amended to read as follows:

- 26 (a) This section applies only to:
 - 27 (1) peace officers as defined by Article 2.12, Code of

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- 1 Criminal Procedure;
- 2 (2) county jailers as defined by Section 1701.001,
- 3 Occupations Code;
- 4 (3) current or former employees of the Texas
- 5 Department of Criminal Justice or of the predecessor in function of
- 6 the department or any division of the department;
- 7 (4) commissioned security officers as defined by
- 8 Section 1702.002, Occupations Code;
- 9 (5) employees of a district attorney, criminal
- 10 district attorney, or county or municipal attorney whose
- 11 jurisdiction includes any criminal law or child protective services
- 12 matters;
- 13 (6) officers and employees of a community supervision
- 14 and corrections department established under Chapter 76 who perform
- 15 a duty described by Section 76.004(b);
- 16 (7) criminal investigators of the United States as
- 17 described by Article 2.122(a), Code of Criminal Procedure;
- 18 (8) police officers and inspectors of the United
- 19 States Federal Protective Service;
- 20 (9) current and former employees of the office of the
- 21 attorney general who are or were assigned to a division of that
- 22 office the duties of which involve law enforcement; ~~and~~
- 23 (10) juvenile probation and detention officers
- 24 certified by the Texas Juvenile Justice Department, or the
- 25 predecessors in function of the department, under Title 12, Human
- 26 Resources Code;
- 27 (11) employees of a juvenile justice program or

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1 facility, as those terms are defined by Section 261.405, Family
2 Code; ~~and~~

3 (12) current or former employees of the Texas Juvenile
4 Justice Department or the predecessors in function of the
5 department; and

6 (13) ~~(10)~~ federal judges and state judges as defined
7 by Section 13.0021, Election Code.

8 SECTION 9.009. Section 772.0061(a)(2), Government Code, as
9 amended by Chapters 747 (S.B. 462) and 1167 (S.B. 484), Acts of the
10 83rd Legislature, Regular Session, 2013, is reenacted and amended
11 to conform to changes made by Chapter 747 (S.B. 462), Acts of the
12 83rd Legislature, Regular Session, 2013, and Section 21.001 of this
13 Act to read as follows:

14 (2) "Specialty court" means:

15 (A) a prostitution prevention program
16 established under Chapter 126 or former law ~~[Chapter 169A, Health~~
17 ~~and Safety Code]~~;

18 (B) a family drug court program established under
19 Chapter 122 or former law;

20 (C) ~~(B)~~ a drug court program established under
21 Chapter 123 or former law;

22 (D) ~~(C)~~ a veterans court program established
23 under Chapter 124 or former law; and

24 (E) ~~(D)~~ a mental health court program
25 established under Chapter 125 or former law.

26 SECTION 9.010. Section 2262.101, Government Code, as
27 amended by Chapters 676 (H.B. 1965) and 1227 (S.B. 1681), Acts of

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1 the 83rd Legislature, Regular Session, 2013, is reenacted and
2 amended to read as follows:

3 Sec. 2262.101. CREATION; DUTIES. (a) The Contract
4 Advisory Team is created to assist state agencies in improving
5 contract management practices by:

6 (1) reviewing and making recommendations on the
7 solicitation documents and contract documents for contracts of
8 state agencies that have a value of at least \$10 million;

9 (2) reviewing any findings or recommendations made by
10 the state auditor, including those made under Section 2262.052(b),
11 regarding a state agency's compliance with the contract management
12 guide;

13 (3) providing recommendations to the comptroller
14 regarding:

15 (A) the development of the contract management
16 guide; and

17 (B) the training under Section 2262.053;

18 (4) providing recommendations and assistance to state
19 agency personnel throughout the contract management process;

20 (5) coordinating and consulting with the quality
21 assurance team established under Section 2054.158 on all contracts
22 relating to a major information resources project; ~~and~~

23 (6) ~~[(4)]~~ developing and recommending policies and
24 procedures to improve state agency contract management practices;

25 (7) ~~[(5)]~~ developing and recommending procedures to
26 improve state agency contracting practices by including
27 consideration for best value; and

1 (8) [~~(6)~~] creating and periodically performing a risk
2 assessment to determine the appropriate level of management and
3 oversight of contracts by state agencies.

4 (b) The risk assessment created and performed [~~reviewed~~]
5 under Subsection (a)(8) [~~(a)(6)~~] must include[, ~~but is not limited~~
6 ~~to~~] the following criteria:

- 7 (1) the amount of appropriations to the agency;
- 8 (2) total contract value as a percentage of
9 appropriations to the agency; or
- 10 (3) the impact of the functions and duties of the state
11 agency on the health, safety, and well-being of residents
12 [~~citizens~~].

13 (c) The comptroller shall oversee the activities of the
14 team, including ensuring that the team carries out its duties under
15 Subsections [~~Subsection~~] (a)(5) and (a)(7).

- 16 (d) A state agency shall:
- 17 (1) comply with a recommendation made under Subsection
18 (a)(1); or
 - 19 (2) submit a written explanation regarding why the
20 recommendation is not applicable to the contract under review.

21 (e) The team may review documents under Subsection (a)(1)
22 only for compliance with contract management and best practices
23 principles and may not make a recommendation regarding the purpose
24 or subject of the contract.

25 (f) The team may develop an expedited process for reviewing
26 solicitations under Subsection (a)(1) for contracts:

- 27 (1) that the team identifies as posing a low risk of

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1 loss to the state; or

2 (2) for which templates will be used more than once by
3 a state agency.

4 SECTION 9.011. Sections 2306.5621(a)(10), (11), (12),
5 (13), (14), and (15), Government Code, as added by Chapter 405 (S.B.
6 286), Acts of the 83rd Legislature, Regular Session, 2013, are
7 repealed as duplicative of Sections 2306.5621(a)(11), (12), (13),
8 (14), (15), and (16), Government Code, as added by Chapter 1219
9 (S.B. 1553), Acts of the 83rd Legislature, Regular Session, 2013.

10 SECTION 9.012. Section 2306.6719(e), Government Code, as
11 added by Chapter 556 (S.B. 659), Acts of the 83rd Legislature,
12 Regular Session, 2013, is repealed as duplicative of Section
13 2306.6719(e), Government Code, as added by Chapter 1079 (H.B.
14 3361), Acts of the 83rd Legislature, Regular Session, 2013.

15 PART B. UPDATE OF COURT FEES AND COSTS

16 SECTION 9.101. Section 51.709, Government Code, as added by
17 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
18 Session, 2013, is redesignated as Section 51.710, Government Code.

19 SECTION 9.102. (a) Section 101.021, Government Code, is
20 amended to read as follows:

21 Sec. 101.021. SUPREME COURT FEES AND COSTS: GOVERNMENT
22 CODE. The clerk of the supreme court shall collect fees and costs
23 as follows:

24 (1) application for petition for review (Sec. 51.005,
25 Government Code) . . . \$50;

26 (2) additional fee if application for petition for
27 review is granted (Sec. 51.005, Government Code) . . . \$75;

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1 (3) motion for leave to file petition for writ of
2 mandamus, prohibition, injunction, and other similar proceedings
3 originating in the supreme court (Sec. 51.005, Government Code)
4 . . . \$50;

5 (4) additional fee if a motion under Subdivision (3)
6 is granted (Sec. 51.005, Government Code) . . . \$75;

7 (5) certified question from a federal court of appeals
8 to the supreme court (Sec. 51.005, Government Code) . . . \$75;

9 (6) case appealed to the supreme court from the
10 district court by direct appeal (Sec. 51.005, Government Code)
11 . . . \$100;

12 (7) any other proceeding filed in the supreme court
13 (Sec. 51.005, Government Code) . . . \$75;

14 (8) administering an oath and giving a sealed
15 certificate of the oath (Sec. 51.005, Government Code) . . . \$5;

16 (9) making certain copies, including certificate and
17 seal (Sec. 51.005, Government Code) . . . \$5, or \$0.50 per page if
18 more than 10 pages;

19 (10) any official service performed by the clerk for
20 which a fee is not otherwise provided (Sec. 51.005, Government
21 Code) . . . reasonable amount set by order or rule of supreme court;

22 (10-a) supreme court support account filing fee (Sec.
23 51.0051, Government Code) . . . amount set by the supreme court,
24 not to exceed \$50;

25 (11) issuance of attorney's license or certificate
26 (Sec. 51.006, Government Code) . . . \$10; ~~and~~

27 (12) additional filing fee to fund civil legal

1 services for the indigent (Sec. 51.941, Government Code) . . . \$25;
2 and

3 (13) statewide electronic filing system fund fee (Sec.
4 51.851, Government Code) . . . \$20.

5 (b) Section 101.0211, Government Code, is repealed.

6 SECTION 9.103. (a) Section 101.041, Government Code, is
7 amended to read as follows:

8 Sec. 101.041. COURT OF APPEALS FEES AND COSTS: GOVERNMENT
9 CODE. The clerk of a court of appeals shall collect fees and costs
10 as follows:

11 (1) for cases appealed to and filed in the court of
12 appeals from the district and county courts within its court of
13 appeals district (Sec. 51.207, Government Code) . . . \$100;

14 (2) motion for leave to file petition for writ of
15 mandamus, prohibition, injunction, and other similar proceedings
16 originating in the court of appeals (Sec. 51.207, Government Code)
17 . . . \$50;

18 (3) additional fee if the motion under Subdivision (2)
19 is granted (Sec. 51.207, Government Code) . . . \$75;

20 (4) motion to file or to extend time to file record on
21 appeal from district or county court (Sec. 51.207, Government Code)
22 . . . \$10;

23 (5) administering an oath and giving a sealed
24 certificate of oath (Sec. 51.207, Government Code) . . . \$5;

25 (6) certified copy of papers of record in court
26 offices, including certificate and seal (Sec. 51.207, Government
27 Code) . . . \$5, or \$1 per page if more than five pages;

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1 (7) comparing any document with the original filed in
2 the offices of the court for purposes of certification (Sec.
3 51.207, Government Code) . . . \$5, or \$1 per page if more than five
4 pages;

5 (8) any official service performed by the clerk for
6 which a fee is not otherwise provided (Sec. 51.207, Government
7 Code) . . . a reasonable fee set by the order or rule of the supreme
8 court;

9 (8-a) supreme court support account filing fee (Sec.
10 51.208, Government Code) . . . amount set by the supreme court, not
11 to exceed \$50; [~~and~~]

12 (9) additional filing fee to fund civil legal services
13 for the indigent (Sec. 51.941, Government Code) . . . \$25; and

14 (10) statewide electronic filing system fund fee (Sec.
15 51.851, Government Code) . . . \$20.

16 (b) Section 101.0411, Government Code, is repealed.

17 SECTION 9.104. (a) Section 101.0611, Government Code, as
18 amended by Section 1.03, Chapter 927 (H.B. 1513), Acts of the 83rd
19 Legislature, Regular Session, 2013, is amended to read as follows:

20 Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT
21 CODE. The clerk of a district court shall collect fees and costs
22 under the Government Code as follows:

- 23 (1) appellate judicial system filing fees for:
 - 24 (A) First or Fourteenth Court of Appeals District
25 (Sec. 22.2021, Government Code) . . . not more than \$5;
 - 26 (B) Second Court of Appeals District (Sec.
27 22.2031, Government Code) . . . \$5;

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- 1 (C) Third Court of Appeals District (Sec.
- 2 22.2041, Government Code) . . . \$5;
- 3 (D) Fourth Court of Appeals District (Sec.
- 4 22.2051, Government Code) . . . not more than \$5;
- 5 (E) Fifth Court of Appeals District (Sec.
- 6 22.2061, Government Code) . . . not more than \$5;
- 7 (E-1) Sixth Court of Appeals District (Sec.
- 8 22.2071, Government Code) . . . \$5;
- 9 (E-2) Seventh Court of Appeals District (Sec.
- 10 22.2081, Government Code) . . . \$5;
- 11 (E-3) Eighth Court of Appeals District (Sec.
- 12 22.2091, Government Code) . . . \$5;
- 13 (F) Ninth Court of Appeals District (Sec.
- 14 22.2101, Government Code) . . . \$5;
- 15 (G) Eleventh Court of Appeals District (Sec.
- 16 22.2121, Government Code) . . . \$5;
- 17 (G-1) Twelfth Court of Appeals District (Sec.
- 18 22.2131, Government Code) . . . \$5; and
- 19 (H) Thirteenth Court of Appeals District (Sec.
- 20 22.2141, Government Code) . . . not more than \$5;
- 21 (2) when administering a case for the Rockwall County
- 22 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
- 23 court costs as if the case had been filed in district court;
- 24 (3) additional filing fees:
- 25 (A) for each suit filed for insurance contingency
- 26 fund, if authorized by the county commissioners court (Sec. 51.302,
- 27 Government Code) . . . not to exceed \$5;

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1 (B) to fund the improvement of Dallas County
2 civil court facilities, if authorized by the county commissioners
3 court (Sec. 51.705, Government Code) . . . not more than \$15;

4 (B-1) to fund the improvement of Bexar County
5 court facilities, if authorized by the county commissioners court
6 (Sec. 51.706, Government Code) . . . not more than \$15;

7 (C) to fund the improvement of Hays County court
8 facilities, if authorized by the county commissioners court (Sec.
9 51.707, Government Code) . . . not more than \$15; ~~and~~

10 (D) to fund the preservation of court records
11 (Sec. 51.708, Government Code) . . . not more than \$10;

12 (E) to fund the construction, renovation, or
13 improvement of Rockwall County court facilities, if authorized by
14 the county commissioners court (Sec. 51.709, Government Code) . . .
15 not more than \$15; and

16 (F) to fund the construction, renovation, or
17 improvement of Travis County court facilities, if authorized by the
18 county commissioners court (Sec. 51.710, Government Code) . . . not
19 more than \$15;

20 (4) for filing a suit, including an appeal from an
21 inferior court:

22 (A) for a suit with 10 or fewer plaintiffs (Sec.
23 51.317, Government Code) . . . \$50;

24 (B) for a suit with at least 11 but not more than
25 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

26 (C) for a suit with at least 26 but not more than
27 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

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1 (D) for a suit with at least 101 but not more than
2 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

3 (E) for a suit with at least 501 but not more than
4 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

5 (F) for a suit with more than 1,000 plaintiffs
6 (Sec. 51.317, Government Code) . . . \$200;

7 (5) for filing a cross-action, counterclaim,
8 intervention, contempt action, motion for new trial, or third-party
9 petition (Sec. 51.317, Government Code) . . . \$15;

10 (6) for issuing a citation or other writ or process not
11 otherwise provided for, including one copy, when requested at the
12 time a suit or action is filed (Sec. 51.317, Government Code) . . .
13 \$8;

14 (7) for records management and preservation (Sec.
15 51.317, Government Code) . . . \$10;

16 (7-a) for district court records archiving, if adopted
17 by the county commissioners court (Sec. 51.317(b)(5), Government
18 Code) . . . not more than \$10;

19 (8) for issuing a subpoena, including one copy (Sec.
20 51.318, Government Code) . . . \$8;

21 (9) for issuing a citation, commission for deposition,
22 writ of execution, order of sale, writ of execution and order of
23 sale, writ of injunction, writ of garnishment, writ of attachment,
24 or writ of sequestration not provided for in Section 51.317, or any
25 other writ or process not otherwise provided for, including one
26 copy if required by law (Sec. 51.318, Government Code) . . . \$8;

27 (10) for searching files or records to locate a cause

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1 when the docket number is not provided (Sec. 51.318, Government
2 Code) . . . \$5;

3 (11) for searching files or records to ascertain the
4 existence of an instrument or record in the district clerk's office
5 (Sec. 51.318, Government Code) . . . \$5;

6 (12) for abstracting a judgment (Sec. 51.318,
7 Government Code) . . . \$8;

8 (13) for approving a bond (Sec. 51.318, Government
9 Code) . . . \$4;

10 (14) for a certified copy of a record, judgment,
11 order, pleading, or paper on file or of record in the district
12 clerk's office, including certificate and seal, for each page or
13 part of a page (Sec. 51.318, Government Code) . . . not to exceed
14 \$1;

15 (15) for a noncertified copy, for each page or part of
16 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

17 (16) fee for performing a service:

18 (A) related to the matter of the estate of a
19 deceased person (Sec. 51.319, Government Code) . . . the same fee
20 allowed the county clerk for those services;

21 (B) related to the matter of a minor (Sec.
22 51.319, Government Code) . . . the same fee allowed the county
23 clerk for the service;

24 (C) of serving process by certified or registered
25 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
26 constable is authorized to charge for the service under Section
27 118.131, Local Government Code; and

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1 (D) prescribed or authorized by law but for which
2 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

3 (17) jury fee (Sec. 51.604, Government Code) . . .
4 \$30;

5 (18) additional filing fee for family protection on
6 filing a suit for dissolution of a marriage under Chapter 6, Family
7 Code (Sec. 51.961, Government Code) . . . not to exceed \$15; [~~and~~]

8 (19) at a hearing held by an associate judge appointed
9 under Subchapter B, Chapter 54A, Government Code, a court cost to
10 preserve the record, in the absence of a court reporter, by any
11 means approved by the associate judge (Sec. 54A.110, Government
12 Code) . . . as assessed by the referring court or associate judge;
13 and

14 (20) statewide electronic filing system fund fee (Sec.
15 51.851, Government Code) . . . \$20.

16 (b) Section 101.0611, Government Code, as amended by
17 Section 2.03, Chapter 927 (H.B. 1513), Acts of the 83rd
18 Legislature, Regular Session, 2013, effective September 1, 2019, is
19 amended to read as follows:

20 Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT
21 CODE. The clerk of a district court shall collect fees and costs
22 under the Government Code as follows:

23 (1) appellate judicial system filing fees for:

24 (A) First or Fourteenth Court of Appeals District
25 (Sec. 22.2021, Government Code) . . . not more than \$5;

26 (B) Second Court of Appeals District (Sec.
27 22.2031, Government Code) . . . \$5;

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1 (C) Third Court of Appeals District (Sec.
2 22.2041, Government Code) . . . \$5;

3 (D) Fourth Court of Appeals District (Sec.
4 22.2051, Government Code) . . . not more than \$5;

5 (E) Fifth Court of Appeals District (Sec.
6 22.2061, Government Code) . . . not more than \$5;

7 (E-1) Sixth Court of Appeals District (Sec.
8 22.2071, Government Code) . . . \$5;

9 (E-2) Seventh Court of Appeals District (Sec.
10 22.2081, Government Code) . . . \$5;

11 (E-3) Eighth Court of Appeals District (Sec.
12 22.2091, Government Code) . . . \$5;

13 (F) Ninth Court of Appeals District (Sec.
14 22.2101, Government Code) . . . \$5;

15 (G) Eleventh Court of Appeals District (Sec.
16 22.2121, Government Code) . . . \$5;

17 (G-1) Twelfth Court of Appeals District (Sec.
18 22.2131, Government Code) . . . \$5; and

19 (H) Thirteenth Court of Appeals District (Sec.
20 22.2141, Government Code) . . . not more than \$5;

21 (2) when administering a case for the Rockwall County
22 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
23 court costs as if the case had been filed in district court;

24 (3) additional filing fees:
25 (A) for each suit filed for insurance contingency
26 fund, if authorized by the county commissioners court (Sec. 51.302,
27 Government Code) . . . not to exceed \$5;

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1 (B) to fund the improvement of Dallas County
2 civil court facilities, if authorized by the county commissioners
3 court (Sec. 51.705, Government Code) . . . not more than \$15;

4 (B-1) to fund the improvement of Bexar County
5 court facilities, if authorized by the county commissioners court
6 (Sec. 51.706, Government Code) . . . not more than \$15;

7 (C) to fund the improvement of Hays County court
8 facilities, if authorized by the county commissioners court (Sec.
9 51.707, Government Code) . . . not more than \$15; [~~and~~]

10 (D) to fund the preservation of court records
11 (Sec. 51.708, Government Code) . . . not more than \$10;

12 (E) to fund the construction, renovation, or
13 improvement of Rockwall County court facilities, if authorized by
14 the county commissioners court (Sec. 51.709, Government Code) . . .
15 not more than \$15; and

16 (F) to fund the construction, renovation, or
17 improvement of Travis County court facilities, if authorized by the
18 county commissioners court (Sec. 51.710, Government Code) . . . not
19 more than \$15;

20 (4) for filing a suit, including an appeal from an
21 inferior court:

22 (A) for a suit with 10 or fewer plaintiffs (Sec.
23 51.317, Government Code) . . . \$50;

24 (B) for a suit with at least 11 but not more than
25 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

26 (C) for a suit with at least 26 but not more than
27 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

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1 (D) for a suit with at least 101 but not more than
2 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

3 (E) for a suit with at least 501 but not more than
4 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

5 (F) for a suit with more than 1,000 plaintiffs
6 (Sec. 51.317, Government Code) . . . \$200;

7 (5) for filing a cross-action, counterclaim,
8 intervention, contempt action, motion for new trial, or third-party
9 petition (Sec. 51.317, Government Code) . . . \$15;

10 (6) for issuing a citation or other writ or process not
11 otherwise provided for, including one copy, when requested at the
12 time a suit or action is filed (Sec. 51.317, Government Code) . . .
13 \$8;

14 (7) for records management and preservation (Sec.
15 51.317, Government Code) . . . \$10;

16 (7-a) for district court records archiving, if adopted
17 by the county commissioners court (Sec. 51.317(b)(5), Government
18 Code) . . . not more than \$5;

19 (8) for issuing a subpoena, including one copy (Sec.
20 51.318, Government Code) . . . \$8;

21 (9) for issuing a citation, commission for deposition,
22 writ of execution, order of sale, writ of execution and order of
23 sale, writ of injunction, writ of garnishment, writ of attachment,
24 or writ of sequestration not provided for in Section 51.317, or any
25 other writ or process not otherwise provided for, including one
26 copy if required by law (Sec. 51.318, Government Code) . . . \$8;

27 (10) for searching files or records to locate a cause

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1 when the docket number is not provided (Sec. 51.318, Government
2 Code) . . . \$5;

3 (11) for searching files or records to ascertain the
4 existence of an instrument or record in the district clerk's office
5 (Sec. 51.318, Government Code) . . . \$5;

6 (12) for abstracting a judgment (Sec. 51.318,
7 Government Code) . . . \$8;

8 (13) for approving a bond (Sec. 51.318, Government
9 Code) . . . \$4;

10 (14) for a certified copy of a record, judgment,
11 order, pleading, or paper on file or of record in the district
12 clerk's office, including certificate and seal, for each page or
13 part of a page (Sec. 51.318, Government Code) . . . not to exceed
14 \$1;

15 (15) for a noncertified copy, for each page or part of
16 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

17 (16) fee for performing a service:

18 (A) related to the matter of the estate of a
19 deceased person (Sec. 51.319, Government Code) . . . the same fee
20 allowed the county clerk for those services;

21 (B) related to the matter of a minor (Sec.
22 51.319, Government Code) . . . the same fee allowed the county
23 clerk for the service;

24 (C) of serving process by certified or registered
25 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
26 constable is authorized to charge for the service under Section
27 118.131, Local Government Code; and

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1 (D) prescribed or authorized by law but for which
2 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

3 (17) jury fee (Sec. 51.604, Government Code) . . .
4 \$30;

5 (18) additional filing fee for family protection on
6 filing a suit for dissolution of a marriage under Chapter 6, Family
7 Code (Sec. 51.961, Government Code) . . . not to exceed \$15; [~~and~~]

8 (19) at a hearing held by an associate judge appointed
9 under Subchapter B, Chapter 54A, Government Code, a court cost to
10 preserve the record, in the absence of a court reporter, by any
11 means approved by the associate judge (Sec. 54A.110, Government
12 Code) . . . as assessed by the referring court or associate judge;
13 and

14 (20) statewide electronic filing system fund fee (Sec.
15 51.851, Government Code) . . . \$20.

16 (c) Sections 101.06118, 101.061191, and 101.06120,
17 Government Code, are repealed.

18 SECTION 9.105. Section 101.0616, Government Code, is
19 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
20 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
21 Acts of the 83rd Legislature, Regular Session, 2013, and is further
22 amended to read as follows:

23 Sec. 101.0616. DISTRICT COURT FEES AND COSTS: ESTATES
24 [~~TEXAS PROBATE~~] CODE. The clerk of a district court shall collect
25 fees and costs under the Estates [~~Texas Probate~~] Code as follows:

26 (1) security deposit on filing, by any person other
27 than the personal representative of an estate, an application,

1 complaint, or opposition in relation to the estate, if required by
2 the clerk (Sec. 53.052, Estates Code) [~~Sec. 12, Texas Probate~~
3 ~~Code~~] . . . probable cost of the proceeding;

4 (2) fee on filing an application, complaint, petition,
5 or other paper in a guardianship proceeding, which includes a
6 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
7 Code) . . . cost of filing and payment of attorney ad litem;

8 (3) security deposit on filing, by any person other
9 than the guardian, attorney ad litem, or guardian ad litem, an
10 application, complaint, or opposition in relation to a guardianship
11 matter, if required by the clerk (Sec. 1053.052, Estates Code)
12 [~~Sec. 622, Texas Probate Code~~] . . . probable cost of the
13 guardianship proceeding; [~~and~~]

14 (4) nonrefundable fee to cover the cost of
15 administering Subchapter G, Chapter 1104, Estates Code (Sec.
16 1104.303, Estates Code) . . . \$40; and

17 (5) [~~(3)~~] costs for attorney ad litem appointed to
18 pursue the restoration of a ward's capacity or modification of the
19 ward's guardianship (Sec. 1202.102, Estates Code) [~~Secs. 694C and~~
20 ~~694L, Texas Probate Code~~] . . . reasonable compensation.

21 SECTION 9.106. (a) Section 101.0811, Government Code, is
22 amended to read as follows:

23 Sec. 101.0811. STATUTORY COUNTY COURT FEES AND COSTS:
24 GOVERNMENT CODE. The clerk of a statutory county court shall
25 collect fees and costs under the Government Code as follows:

- 26 (1) appellate judicial system filing fees:
27 (A) First or Fourteenth Court of Appeals District

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- 1 (Sec. 22.2021, Government Code) . . . not more than \$5;
- 2 (B) Second Court of Appeals District (Sec.
- 3 22.2031, Government Code) . . . \$5;
- 4 (C) Third Court of Appeals District (Sec.
- 5 22.2041, Government Code) . . . \$5;
- 6 (D) Fourth Court of Appeals District (Sec.
- 7 22.2051, Government Code) . . . not more than \$5;
- 8 (E) Fifth Court of Appeals District (Sec.
- 9 22.2061, Government Code) . . . not more than \$5;
- 10 (E-1) Sixth Court of Appeals District (Sec.
- 11 22.2071, Government Code) . . . \$5;
- 12 (E-2) Seventh Court of Appeals District (Sec.
- 13 22.2081, Government Code) . . . \$5;
- 14 (E-3) Eighth Court of Appeals District (Sec.
- 15 22.2091, Government Code) . . . \$5;
- 16 (F) Ninth Court of Appeals District (Sec.
- 17 22.2101, Government Code) . . . \$5;
- 18 (G) Eleventh Court of Appeals District (Sec.
- 19 22.2121, Government Code) . . . \$5;
- 20 (G-1) Twelfth Court of Appeals District (Sec.
- 21 22.2131, Government Code) . . . \$5; and
- 22 (H) Thirteenth Court of Appeals District (Sec.
- 23 22.2141, Government Code) . . . not more than \$5;
- 24 (2) an official court reporter fee, County Court at
- 25 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;
- 26 (3) in Brazoria County, in matters of concurrent
- 27 jurisdiction with the district court, fees (Sec. 25.0222,

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1 Government Code) . . . as prescribed by law for district judges
2 according to the nature of the matter;

3 (4) a court reporter fee when testimony is taken in a
4 county court at law in McLennan County (Sec. 25.1572, Government
5 Code) . . . \$3;

6 (5) a stenographer fee, if a record or part of a record
7 is made:

8 (A) in a county court at law in Hidalgo County
9 (Sec. 25.1102, Government Code) . . . \$20; and

10 (B) in the 1st Multicounty Court at Law (Sec.
11 25.2702, Government Code) . . . \$25 [~~in a county court at law in~~
12 ~~Nolan County (Sec. 25.1792, Government Code) . . . \$25~~];

13 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;

14 (7) an additional filing fee:

15 (A) for each civil case filed to be used for
16 court-related purposes for the support of the judiciary (Sec.
17 51.702, Government Code) . . . \$40;

18 (B) to fund the improvement of Dallas County
19 civil court facilities, if authorized by the county commissioners
20 court (Sec. 51.705, Government Code) . . . not more than \$15;

21 (B-1) to fund the improvement of Bexar County
22 court facilities, if authorized by the county commissioners court
23 (Sec. 51.706, Government Code) . . . not more than \$15;

24 (C) to fund the improvement of Hays County court
25 facilities, if authorized by the county commissioners court (Sec.
26 51.707, Government Code) . . . not more than \$15; [~~and~~]

27 (D) to fund the preservation of court records

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1 (Sec. 51.708, Government Code) . . . not more than \$10;

2 (E) to fund the construction, renovation, or
3 improvement of Rockwall County court facilities, if authorized by
4 the county commissioners court (Sec. 51.709, Government Code) . . .
5 not more than \$15; and

6 (F) to fund the construction, renovation, or
7 improvement of Travis County court facilities, if authorized by the
8 county commissioners court (Sec. 51.710, Government Code) . . . not
9 more than \$15;

10 (8) the official court reporter's fee taxed as costs in
11 civil actions in a statutory county court:

12 (A) in Bexar County Courts at Law Nos. 3, 4, 5, 6,
13 7, 8, 9, 10, 11, 12, 13, 14, and 15 (Sec. 25.0172, Government Code)
14 . . . taxed in the same manner as the fee is taxed in district
15 court;

16 (B) in Galveston County (Sec. 25.0862,
17 Government Code) . . . taxed in the same manner as the fee is taxed
18 in civil cases in the district courts; and

19 (C) in Parker County (Sec. 25.1862, Government
20 Code) . . . taxed in the same manner as the fee is taxed in civil
21 cases in the district courts;

22 (9) [~~a stenographer's fee as costs in each civil,~~
23 ~~criminal, and probate case in which a record is made by the official~~
24 ~~court reporter in a statutory county court in Nolan County (Sec.~~
25 ~~25.1792, Government Code) . . . \$25,~~

26 [~~10~~] in Nueces County, in matters of concurrent
27 jurisdiction with the district court, with certain exceptions, fees

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1 (Sec. 25.1802, Government Code) . . . equal to those in district
2 court cases;

3 (10) [~~(11)~~] a fee not otherwise listed in this
4 subchapter that is required to be collected under Section 25.0008,
5 Government Code, in a county other than Brazos, Cameron, Ellis,
6 Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola,
7 Parker, Starr, Victoria, and Williamson . . . as prescribed by law
8 relating to county judges' fees; [~~and~~]

9 (11) [~~(12)~~] at a hearing held by an associate judge
10 appointed under Subchapter B, Chapter 54A, Government Code, a court
11 cost to preserve the record, in the absence of a court reporter, by
12 any means approved by the associate judge (Sec. 54A.110, Government
13 Code) . . . as assessed by the referring court or associate judge;
14 and

15 (12) statewide electronic filing system fund fee (Sec.
16 51.851, Government Code) . . . \$20.

17 (b) The following are repealed:

18 (1) Section 101.08117, Government Code, as added by
19 Chapter 1059 (H.B. 3153), Acts of the 83rd Legislature, Regular
20 Session, 2013;

21 (2) Section 101.08117, Government Code, as added by
22 Chapter 1290 (H.B. 2302), Acts of the 83rd Legislature, Regular
23 Session, 2013;

24 (3) Section 101.08119, Government Code, as added by
25 Chapter 1238 (S.B. 1827), Acts of the 83rd Legislature, Regular
26 Session, 2013; and

27 (4) Section 101.08119, Government Code, as added by

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1 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
2 Session, 2013.

3 SECTION 9.107. (a) Section 101.0814, Government Code, is
4 amended to read as follows:

5 Sec. 101.0814. STATUTORY COUNTY COURT FEES AND COSTS:
6 LOCAL GOVERNMENT CODE. The clerk of a statutory county court shall
7 collect fees and costs under the Local Government Code as follows:

8 (1) additional filing fee to fund contingency fund for
9 liability insurance, if authorized by the county commissioners
10 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

11 (2) civil court actions (Sec. 118.052, Local
12 Government Code):

13 (A) filing of original action (Secs. 118.052 and
14 118.053, Local Government Code):

15 (i) garnishment after judgment (Sec.
16 118.052, Local Government Code) . . . \$15; and

17 (ii) all others (Sec. 118.052, Local
18 Government Code) . . . \$40;

19 (B) filing of action other than original (Secs.
20 118.052 and 118.054, Local Government Code) . . . \$30; and

21 (C) services rendered after judgment in original
22 action (Secs. 118.052 and 118.0545, Local Government Code):

23 (i) abstract of judgment (Sec. 118.052,
24 Local Government Code) . . . \$5; and

25 (ii) execution, order of sale, writ, or
26 other process (Sec. 118.052, Local Government Code) . . . \$5;

27 (3) probate court actions (Sec. 118.052, Local

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1 Government Code):

2 (A) probate original action (Secs. 118.052 and
3 118.055, Local Government Code):

4 (i) probate of a will with independent
5 executor, administration with will attached, administration of an
6 estate, guardianship or receivership of an estate, or muniment of
7 title (Sec. 118.052, Local Government Code) . . . \$40;

8 (ii) community survivors (Sec. 118.052,
9 Local Government Code) . . . \$40;

10 (iii) small estates (Sec. 118.052, Local
11 Government Code) . . . \$40;

12 (iv) declarations of heirship (Sec.
13 118.052, Local Government Code) . . . \$40;

14 (v) mental health or chemical dependency
15 services (Sec. 118.052, Local Government Code) . . . \$40; and

16 (vi) additional, special fee (Secs. 118.052
17 and 118.064, Local Government Code) . . . \$5;

18 (B) services in pending probate action (Secs.
19 118.052 and 118.056, Local Government Code):

20 (i) filing an inventory and appraisement
21 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;

22 (ii) approving and recording bond (Sec.
23 118.052, Local Government Code) . . . \$3;

24 (iii) administering oath (Sec. 118.052,
25 Local Government Code) . . . \$2;

26 (iv) filing annual or final account of
27 estate (Sec. 118.052, Local Government Code) . . . \$25;

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1 (v) filing application for sale of real or
2 personal property (Sec. 118.052, Local Government Code) . . . \$25;

3 (vi) filing annual or final report of
4 guardian of a person (Sec. 118.052, Local Government Code) . . .
5 \$10; and

6 (vii) filing a document not listed under
7 this paragraph after the filing of an order approving the inventory
8 and appraisal or after the 120th day after the date of the
9 initial filing of the action, whichever occurs first (Secs. 118.052
10 and 191.007, Local Government Code), if more than 25 pages . . .
11 \$25;

12 (C) adverse probate action (Secs. 118.052 and
13 118.057, Local Government Code) . . . \$40;

14 (D) claim against estate (Secs. 118.052 and
15 118.058, Local Government Code) . . . \$2; [~~and~~]

16 (E) supplemental court-initiated guardianship
17 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;
18 and

19 (F) supplemental public probate administrator
20 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;

21 (4) other fees (Sec. 118.052, Local Government Code):

22 (A) issuing document (Secs. 118.052 and 118.059,
23 Local Government Code):

24 (i) original document and one copy (Sec.
25 118.052, Local Government Code) . . . \$4; and

26 (ii) each additional set of an original and
27 one copy (Sec. 118.052, Local Government Code) . . . \$4;

1 (B) certified papers (Secs. 118.052 and 118.060,
2 Local Government Code):

3 (i) for the clerk's certificate (Sec.
4 118.052, Local Government Code) . . . \$5; and

5 (ii) a fee per page or part of a page (Sec.
6 118.052, Local Government Code) . . . \$1;

7 (C) noncertified papers, for each page or part of
8 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
9 \$1;

10 (D) letters testamentary, letter of
11 guardianship, letter of administration, or abstract of judgment
12 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

13 (E) safekeeping of wills (Secs. 118.052 and
14 118.062, Local Government Code) . . . \$5;

15 (F) mail service of process (Secs. 118.052 and
16 118.063, Local Government Code) . . . same as sheriff; and

17 (G) records management and preservation fee
18 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
19 . . . \$5;

20 (5) additional filing fee for filing any civil action
21 or proceeding requiring a filing fee, including an appeal, and on
22 the filing of any counterclaim, cross-action, intervention,
23 interpleader, or third-party action requiring a filing fee, to fund
24 civil legal services for the indigent (Sec. 133.153, Local
25 Government Code) . . . \$10;

26 (6) on the filing of a civil suit, an additional filing
27 fee to be used for court-related purposes for the support of the

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1 judiciary (Sec. 133.154, Local Government Code) . . . \$42;

2 (7) additional filing fee to fund the courthouse
3 security fund, if authorized by the county commissioners court
4 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

5 (8) additional filing fee for filing documents not
6 subject to certain filing fees to fund the courthouse security
7 fund, if authorized by the county commissioners court (Sec.
8 291.008, Local Government Code) . . . \$1;

9 (9) additional filing fee to fund the courthouse
10 security fund in Webb County, if authorized by the county
11 commissioners court (Sec. 291.009, Local Government Code) . . . not
12 to exceed \$20; and

13 (10) court cost in civil cases other than suits for
14 delinquent taxes to fund the county law library fund, if authorized
15 by the county commissioners court (Sec. 323.023, Local Government
16 Code) . . . not to exceed \$35.

17 (b) Section 101.08145, Government Code, is repealed.

18 SECTION 9.108. Section 101.0815, Government Code, is
19 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
20 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
21 Acts of the 83rd Legislature, Regular Session, 2013, and is further
22 amended to read as follows:

23 Sec. 101.0815. STATUTORY COUNTY COURT FEES AND COSTS:
24 ESTATES [~~TEXAS PROBATE~~] CODE. The clerk of a statutory county court
25 shall collect fees and costs under the Estates [~~Texas Probate~~] Code
26 as follows:

27 (1) fee for deposit of a will with the county clerk

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1 during testator's lifetime (Sec. 252.001, Estates Code) [~~Sec. 71,~~
2 ~~Texas Probate Code~~] . . . \$5;

3 (2) security deposit on filing, by any person other
4 than the personal representative of an estate, an application,
5 complaint, or opposition in relation to the estate, if required by
6 the clerk (Sec. 53.052, Estates Code) [~~Sec. 12, Texas Probate~~
7 ~~Code~~] . . . probable cost of the proceeding;

8 (3) fee on filing an application, complaint, petition,
9 or other paper in a guardianship proceeding, which includes a
10 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
11 Code) . . . cost of filing and payment of attorney ad litem;

12 (4) security deposit on filing, by any person other
13 than the guardian, attorney ad litem, or guardian ad litem, an
14 application, complaint, or opposition in relation to a guardianship
15 matter, if required by the clerk (Sec. 1053.052, Estates Code)
16 [~~Sec. 622, Texas Probate Code~~] . . . probable cost of the
17 guardianship proceeding; [and]

18 (5) nonrefundable fee to cover the cost of
19 administering Subchapter G, Chapter 1104, Estates Code (Sec.
20 1104.303, Estates Code) . . . \$40; and

21 (6) [~~(4)~~] costs for attorney ad litem appointed to
22 pursue the restoration of a ward's capacity or modification of the
23 ward's guardianship (Sec. 1202.102, Estates Code) [~~Secs. 694C and~~
24 ~~694L, Texas Probate Code~~] . . . reasonable compensation.

25 SECTION 9.109. (a) Section 101.1011, Government Code, is
26 amended to read as follows:

27 Sec. 101.1011. STATUTORY PROBATE COURT FEES AND COSTS:

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1 GOVERNMENT CODE. The clerk of a statutory probate court shall
2 collect fees and costs under the Government Code as follows:

- 3 (1) appellate judicial system filing fees:
- 4 (A) First or Fourteenth Court of Appeals District
- 5 (Sec. 22.2021, Government Code) . . . not more than \$5;
- 6 (B) Second Court of Appeals District (Sec.
- 7 22.2031, Government Code) . . . \$5;
- 8 (C) Third Court of Appeals District (Sec.
- 9 22.2041, Government Code) . . . \$5;
- 10 (D) Fourth Court of Appeals District (Sec.
- 11 22.2051, Government Code) . . . not more than \$5;
- 12 (E) Fifth Court of Appeals District (Sec.
- 13 22.2061, Government Code) . . . not more than \$5;
- 14 (E-1) Sixth Court of Appeals District (Sec.
- 15 22.2071, Government Code) . . . \$5;
- 16 (E-2) Seventh Court of Appeals District (Sec.
- 17 22.2081, Government Code) . . . \$5;
- 18 (E-3) Eighth Court of Appeals District (Sec.
- 19 22.2091, Government Code) . . . \$5;
- 20 (F) Ninth Court of Appeals District (Sec.
- 21 22.2101, Government Code) . . . \$5;
- 22 (G) Eleventh Court of Appeals District (Sec.
- 23 22.2121, Government Code) . . . \$5;
- 24 (G-1) Twelfth Court of Appeals District (Sec.
- 25 22.2131, Government Code) . . . \$5; and
- 26 (H) Thirteenth Court of Appeals District (Sec.
- 27 22.2141, Government Code) . . . not more than \$5;

1 (2) additional filing fees as follows:

2 (A) for certain cases to be used for
3 court-related purposes for support of the judiciary (Sec. 51.704,
4 Government Code) . . . \$40;

5 (B) to fund the improvement of Dallas County
6 civil court facilities, if authorized by the county commissioners
7 court (Sec. 51.705, Government Code) . . . not more than \$15;

8 (B-1) to fund the improvement of Bexar County
9 court facilities, if authorized by the county commissioners court
10 (Sec. 51.706, Government Code) . . . not more than \$15; [~~and~~]

11 (C) to fund the improvement of Hays County court
12 facilities, if authorized by the county commissioners court (Sec.
13 51.707, Government Code) . . . not more than \$15;

14 (D) to fund the construction, renovation, or
15 improvement of Rockwall County court facilities, if authorized by
16 the county commissioners court (Sec. 51.709, Government Code) . . .
17 not more than \$15; and

18 (E) to fund the construction, renovation, or
19 improvement of Travis County court facilities, if authorized by the
20 county commissioners court (Sec. 51.710, Government Code) . . . not
21 more than \$15;

22 (3) jury fee for civil case (Sec. 51.604, Government
23 Code) . . . \$22;

24 (4) the expense of preserving the record as a court
25 cost, if imposed on a party by the referring court or associate
26 judge (Sec. 54A.211, Government Code) . . . actual cost; [~~and~~]

27 (5) a fee not otherwise listed in this subchapter that

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1 is required to be collected under Section 25.0029, Government Code
2 (Sec. 25.0029, Government Code) . . . as prescribed by law relating
3 to county judges' fees; and

4 (6) statewide electronic filing system fund fee (Sec.
5 51.851, Government Code) . . . \$20.

6 (b) The following are repealed:

7 (1) Section 101.10116, Government Code;

8 (2) Section 101.10118, Government Code, as added by
9 Chapter 1238 (S.B. 1827), Acts of the 83rd Legislature, Regular
10 Session, 2013; and

11 (3) Section 101.10118, Government Code, as added by
12 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
13 Session, 2013.

14 SECTION 9.110. (a) Section 101.1013, Government Code, is
15 amended to read as follows:

16 Sec. 101.1013. STATUTORY PROBATE COURT FEES AND COSTS:
17 LOCAL GOVERNMENT CODE. The clerk of a statutory probate court shall
18 collect fees and costs under the Local Government Code as follows:

19 (1) additional filing fee for filing any civil action
20 or proceeding requiring a filing fee, including an appeal, and on
21 the filing of any counterclaim, cross-action, intervention,
22 interpleader, or third-party action requiring a filing fee to fund
23 civil legal services for the indigent (Sec. 133.153, Local
24 Government Code) . . . \$10;

25 (2) additional filing fee to fund contingency fund for
26 liability insurance, if authorized by the county commissioners
27 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

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1 (3) probate court actions (Sec. 118.052, Local
2 Government Code):

3 (A) probate original action (Secs. 118.052 and
4 118.055, Local Government Code):

5 (i) probate of a will with independent
6 executor, administration with will attached, administration of an
7 estate, guardianship or receivership of an estate, or muniment of
8 title (Sec. 118.052, Local Government Code) . . . \$40;

9 (ii) community survivors (Sec. 118.052,
10 Local Government Code) . . . \$40;

11 (iii) small estates (Sec. 118.052, Local
12 Government Code) . . . \$40;

13 (iv) declarations of heirship (Sec.
14 118.052, Local Government Code) . . . \$40;

15 (v) mental health or chemical dependency
16 services (Sec. 118.052, Local Government Code) . . . \$40; and

17 (vi) additional, special fee (Secs. 118.052
18 and 118.064, Local Government Code) . . . \$5;

19 (B) services in pending probate action (Secs.
20 118.052 and 118.056, Local Government Code):

21 (i) filing an inventory and appraisalment
22 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;

23 (ii) approving and recording bond (Sec.
24 118.052, Local Government Code) . . . \$3;

25 (iii) administering oath (Sec. 118.052,
26 Local Government Code) . . . \$2;

27 (iv) filing annual or final account of

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- 1 estate (Sec. 118.052, Local Government Code). . . \$25;
- 2 (v) filing application for sale of real or
- 3 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 4 (vi) filing annual or final report of
- 5 guardian of a person (Sec. 118.052, Local Government Code) . . .
- 6 \$10; and
- 7 (vii) filing a document not listed under
- 8 this paragraph after the filing of an order approving the inventory
- 9 and appraisement or after the 120th day after the date of the
- 10 initial filing of the action, whichever occurs first (Secs. 118.052
- 11 and 191.007, Local Government Code), if more than 25 pages . . .
- 12 \$25;
- 13 (C) adverse probate action (Secs. 118.052 and
- 14 118.057, Local Government Code) . . . \$40;
- 15 (D) claim against estate (Secs. 118.052 and
- 16 118.058, Local Government Code) . . . \$2; [~~and~~]
- 17 (E) supplemental court-initiated guardianship
- 18 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;
- 19 and
- 20 (F) supplemental public probate administrator
- 21 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;
- 22 (4) other fees (Sec. 118.052, Local Government Code):
- 23 (A) issuing document (Secs. 118.052 and 118.059,
- 24 Local Government Code):
- 25 (i) original document and one copy (Sec.
- 26 118.052, Local Government Code) . . . \$4; and
- 27 (ii) each additional set of an original and

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- 1 one copy (Sec. 118.052, Local Government Code) . . . \$4;
- 2 (B) certified papers (Secs. 118.052 and 118.060,
- 3 Local Government Code):
- 4 (i) for the clerk's certificate (Sec.
- 5 118.052, Local Government Code) . . . \$5; and
- 6 (ii) a fee per page or part of a page (Sec.
- 7 118.052, Local Government Code) . . . \$1;
- 8 (C) noncertified papers, for each page or part of
- 9 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
- 10 \$1;
- 11 (D) letters testamentary, letter of
- 12 guardianship, letter of administration, or abstract of judgment
- 13 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;
- 14 (E) safekeeping of wills (Secs. 118.052 and
- 15 118.062, Local Government Code) . . . \$5;
- 16 (F) mail service of process (Secs. 118.052 and
- 17 118.063, Local Government Code) . . . same as sheriff; and
- 18 (G) records management and preservation fee
- 19 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5; and
- 20 (5) court cost in civil cases other than suits for
- 21 delinquent taxes to fund the county law library fund, if authorized
- 22 by the county commissioners court (Sec. 323.023, Local Government
- 23 Code) . . . not to exceed \$35.
- 24 (b) Section 101.103, Government Code, is repealed.

25 SECTION 9.111. Section 101.1014, Government Code, is

26 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st

27 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),

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1 Acts of the 83rd Legislature, Regular Session, 2013, and is further
2 amended to read as follows:

3 Sec. 101.1014. STATUTORY PROBATE COURT FEES AND COSTS:
4 ESTATES [~~TEXAS PROBATE~~] CODE. The clerk of a statutory probate
5 court shall collect fees and costs under the Estates [~~Texas~~
6 ~~Probate~~] Code as follows:

7 (1) fee for deposit of a will with the county clerk
8 during testator's lifetime (Sec. 252.001, Estates Code) [~~Sec. 71,~~
9 ~~Texas Probate Code~~] . . . \$5;

10 (2) security deposit on filing, by any person other
11 than the personal representative of an estate, an application,
12 complaint, or opposition in relation to the estate, if required by
13 the clerk (Sec. 53.052, Estates Code) [~~Sec. 12, Texas Probate~~
14 ~~Code~~] . . . probable cost of the proceeding;

15 (3) fee on filing an application, complaint, petition,
16 or other paper in a guardianship proceeding, which includes a
17 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
18 Code) . . . cost of filing and payment of attorney ad litem;

19 (4) security deposit on filing, by any person other
20 than the guardian, attorney ad litem, or guardian ad litem, an
21 application, complaint, or opposition in relation to a guardianship
22 matter, if required by the clerk (Sec. 1053.052, Estates Code)
23 [~~Sec. 622, Texas Probate Code~~] . . . probable cost of the
24 guardianship proceeding; [~~and~~]

25 (5) nonrefundable fee to cover the cost of
26 administering Subchapter G, Chapter 1104, Estates Code (Sec.
27 1104.303, Estates Code) . . . \$40; and

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1 (6) [~~4~~] costs for attorney ad litem appointed to
2 pursue the restoration of a ward's capacity or modification of the
3 ward's guardianship (Sec. 1202.102, Estates Code) [~~Secs. 694C and~~
4 ~~694L, Texas Probate Code~~] . . . reasonable compensation.

5 SECTION 9.112. (a) Section 101.1212, Government Code, is
6 amended to read as follows:

7 Sec. 101.1212. COUNTY COURT FEES AND COSTS: GOVERNMENT
8 CODE. The clerk of a county court shall collect the following fees
9 and costs under the Government Code:

10 (1) appellate judicial system filing fees:

11 (A) First or Fourteenth Court of Appeals District
12 (Sec. 22.2021, Government Code) . . . not more than \$5;

13 (B) Second Court of Appeals District (Sec.
14 22.2031, Government Code) . . . \$5;

15 (C) Third Court of Appeals District (Sec.
16 22.2041, Government Code) . . . \$5;

17 (D) Fourth Court of Appeals District (Sec.
18 22.2051, Government Code) . . . not more than \$5;

19 (E) Fifth Court of Appeals District (Sec.
20 22.2061, Government Code) . . . not more than \$5;

21 (E-1) Sixth Court of Appeals District (Sec.
22 22.2071, Government Code) . . . \$5;

23 (E-2) Seventh Court of Appeals District (Sec.
24 22.2081, Government Code) . . . \$5;

25 (E-3) Eighth Court of Appeals District (Sec.
26 22.2091, Government Code) . . . \$5;

27 (F) Ninth Court of Appeals District (Sec.

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1 22.2101, Government Code) . . . \$5;

2 (G) Eleventh Court of Appeals District (Sec.

3 22.2121, Government Code) . . . \$5;

4 (G-1) Twelfth Court of Appeals District (Sec.

5 22.2131, Government Code) . . . \$5; and

6 (H) Thirteenth Court of Appeals District (Sec.

7 22.2141, Government Code) . . . not more than \$5;

8 (2) a jury fee (Sec. 51.604, Government Code) . . .

9 \$22;

10 (3) a filing fee in each civil case filed to be used

11 for court-related purposes for the support of the judiciary (Sec.

12 51.703, Government Code) . . . \$40; ~~and~~

13 (4) a filing fee to fund the preservation of court

14 records (Sec. 51.708, Government Code) . . . not more than \$10; and

15 (5) a statewide electronic filing system fund fee

16 (Sec. 51.851, Government Code) . . . \$20.

17 (b) Section 101.12126, Government Code, is repealed.

18 SECTION 9.113. (a) Section 101.1214, Government Code, is
19 amended to read as follows:

20 Sec. 101.1214. COUNTY COURT FEES AND COSTS: LOCAL
21 GOVERNMENT CODE. The clerk of a county court shall collect the
22 following fees and costs under the Local Government Code:

- 23 (1) additional filing fee to fund contingency fund for
- 24 liability insurance, if authorized by the county commissioners
- 25 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;
- 26 (2) civil court actions (Sec. 118.052, Local
- 27 Government Code):

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1 (A) filing of original action (Secs. 118.052 and
2 118.053, Local Government Code):

3 (i) garnishment after judgment (Sec.
4 118.052, Local Government Code) . . . \$15; and

5 (ii) all others (Sec. 118.052, Local
6 Government Code) . . . \$40;

7 (B) filing of action other than original (Secs.
8 118.052 and 118.054, Local Government Code) . . . \$30; and

9 (C) services rendered after judgment in original
10 action (Secs. 118.052 and 118.0545, Local Government Code):

11 (i) abstract of judgment (Sec. 118.052,
12 Local Government Code) . . . \$5; and

13 (ii) execution, order of sale, writ, or
14 other process (Sec. 118.052, Local Government Code) . . . \$5;

15 (3) probate court actions (Sec. 118.052, Local
16 Government Code):

17 (A) probate original action (Secs. 118.052 and
18 118.055, Local Government Code):

19 (i) probate of a will with independent
20 executor, administration with will attached, administration of an
21 estate, guardianship or receivership of an estate, or muniment of
22 title (Sec. 118.052, Local Government Code) . . . \$40;

23 (ii) community survivors (Sec. 118.052,
24 Local Government Code) . . . \$40;

25 (iii) small estates (Sec. 118.052, Local
26 Government Code) . . . \$40;

27 (iv) declarations of heirship (Sec.

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1 118.052, Local Government Code) . . . \$40;

2 (v) mental health or chemical dependency

3 services (Sec. 118.052, Local Government Code) . . . \$40; and

4 (vi) additional, special fee (Secs. 118.052

5 and 118.064, Local Government Code) . . . \$5;

6 (B) services in pending probate action (Secs.

7 118.052 and 118.056, Local Government Code):

8 (i) filing an inventory and appraisement

9 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;

10 (ii) approving and recording bond (Sec.

11 118.052, Local Government Code) . . . \$3;

12 (iii) administering oath (Sec. 118.052,

13 Local Government Code) . . . \$2;

14 (iv) filing annual or final account of

15 estate (Sec. 118.052, Local Government Code) . . . \$25;

16 (v) filing application for sale of real or

17 personal property (Sec. 118.052, Local Government Code) . . . \$25;

18 (vi) filing annual or final report of

19 guardian of a person (Sec. 118.052, Local Government Code) . . .

20 \$10; and

21 (vii) filing a document not listed under

22 this paragraph after the filing of an order approving the inventory

23 and appraisement or after the 120th day after the date of the

24 initial filing of the action, whichever occurs first (Secs. 118.052

25 and 191.007, Local Government Code), if more than 25 pages . . .

26 \$25;

27 (C) adverse probate action (Secs. 118.052 and

1 118.057, Local Government Code) . . . \$40;

2 (D) claim against estate (Secs. 118.052 and

3 118.058, Local Government Code) . . . \$2; ~~and~~

4 (E) supplemental court-initiated guardianship

5 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;

6 and

7 (F) supplemental public probate administrator

8 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;

9 (4) other fees (Sec. 118.052, Local Government Code):

10 (A) issuing document (Secs. 118.052 and 118.059,

11 Local Government Code):

12 (i) original document and one copy (Sec.

13 118.052, Local Government Code) . . . \$4; and

14 (ii) each additional set of an original and

15 one copy (Sec. 118.052, Local Government Code) . . . \$4;

16 (B) certified papers (Secs. 118.052 and 118.060,

17 Local Government Code):

18 (i) for the clerk's certificate (Sec.

19 118.052, Local Government Code) . . . \$5; and

20 (ii) a fee per page or part of a page (Sec.

21 118.052, Local Government Code) . . . \$1;

22 (C) noncertified papers, for each page or part of

23 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .

24 \$1;

25 (D) letters testamentary, letter of

26 guardianship, letter of administration, or abstract of judgment

27 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

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1 (E) safekeeping of wills (Secs. 118.052 and
2 118.062, Local Government Code) . . . \$5;

3 (F) mail service of process (Secs. 118.052 and
4 118.063, Local Government Code) . . . same as sheriff; and

5 (G) records management and preservation fee
6 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
7 . . . \$5;

8 (5) deposit on filing petition requesting permission
9 to create a municipal civic center authority (Sec. 281.013, Local
10 Government Code) . . . \$200;

11 (6) additional filing fee to fund the courthouse
12 security fund, if authorized by the county commissioners court
13 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

14 (7) additional filing fee for filing documents not
15 subject to certain filing fees to fund the courthouse security
16 fund, if authorized by the county commissioners court (Sec.
17 291.008, Local Government Code) . . . \$1;

18 (8) additional filing fee to fund the courthouse
19 security fund in Webb County, if authorized by the county
20 commissioners court (Sec. 291.009, Local Government Code) . . . not
21 to exceed \$20;

22 (9) court cost in civil cases other than suits for
23 delinquent taxes to fund the county law library fund, if authorized
24 by the county commissioners court (Sec. 323.023, Local Government
25 Code) . . . not to exceed \$35;

26 (10) additional filing fee for filing any civil action
27 or proceeding requiring a filing fee, including an appeal, and on

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1 the filing of any counterclaim, cross-action, intervention,
2 interpleader, or third-party action requiring a filing fee, to fund
3 civil legal services for the indigent (Sec. 133.153, Local
4 Government Code) . . . \$10; and

5 (11) on the filing of a civil suit an additional filing
6 fee to be used for court-related purposes for the support of the
7 judiciary (Sec. 133.154, Local Government Code) . . . \$42.

8 (b) Section 101.12145, Government Code, is repealed.

9 SECTION 9.114. Section 101.1215, Government Code, is
10 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
11 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
12 Acts of the 83rd Legislature, Regular Session, 2013, and is further
13 amended to read as follows:

14 Sec. 101.1215. COUNTY COURT FEES AND COSTS: ESTATES [~~TEXAS~~
15 ~~PROBATE~~] CODE. The clerk of a county court shall collect the
16 following fees and costs under the Estates [~~Texas Probate~~] Code:

17 (1) fee for deposit of a will with the county clerk
18 during testator's lifetime (Sec. 252.001, Estates Code) [~~(Sec. 71,~~
19 ~~Texas Probate Code)~~] . . . \$5;

20 (2) security deposit on filing, by any person other
21 than the personal representative of an estate, an application,
22 complaint, or opposition in relation to the estate, if required by
23 the clerk (Sec. 53.052, Estates Code) [~~(Sec. 12, Texas Probate~~
24 ~~Code)~~] . . . probable cost of the proceeding;

25 (3) fee on filing an application, complaint, petition,
26 or other paper in a guardianship proceeding, which includes a
27 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates

1 Code) . . . cost of filing and payment of attorney ad litem;
 2 (4) security deposit on filing, by any person other
 3 than the guardian, attorney ad litem, or guardian ad litem, an
 4 application, complaint, or opposition in relation to a guardianship
 5 matter, if required by the clerk (Sec. 1053.052, Estates Code)
 6 [~~(Sec. 622, Texas Probate Code)~~] . . . probable cost of the
 7 guardianship proceeding; [~~and~~]
 8 (5) nonrefundable fee to cover the cost of
 9 administering Subchapter G, Chapter 1104, Estates Code (Sec.
 10 1104.303, Estates Code) . . . \$40; and
 11 (6) [~~(4)~~] costs for attorney ad litem appointed to
 12 pursue the restoration of a ward's capacity or modification of the
 13 ward's guardianship (Sec. 1202.102, Estates Code) [~~(Secs. 694C and~~
 14 ~~694L, Texas Probate Code)~~] . . . reasonable compensation.

15 SECTION 9.115. (a) Section 101.141, Government Code, is
 16 amended to read as follows:

17 Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND
 18 COSTS COLLECTED BY CLERK. (a) A clerk of a justice court shall
 19 collect fees and costs under the Civil Practice and Remedies Code as
 20 follows:

- 21 (1) additional court cost in certain civil cases to
- 22 establish and maintain an alternative dispute resolution system, if
- 23 authorized by the commissioners court (Sec. 152.005, Civil Practice
- 24 and Remedies Code) . . . not to exceed \$5;
- 25 (2) court fees and costs, if ordered by the court, for
- 26 a suit filed by an inmate in which an affidavit or unsworn
- 27 declaration of inability to pay costs is filed by the inmate (Sec.

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1 14.006, Civil Practice and Remedies Code) . . . the lesser of:

2 (A) 20 percent of the preceding six months'
3 deposits to the inmate's trust account administered by the Texas
4 Department of Criminal Justice under Section 501.014, Government
5 Code; or

6 (B) the total amount of court fees and costs;

7 (3) monthly payment for remaining court fees and costs
8 after the initial payment for a suit in which an affidavit or
9 unsworn declaration of inability to pay costs is filed by the inmate
10 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
11 of:

12 (A) 10 percent of that month's deposit to the
13 inmate's trust account administered by the Texas Department of
14 Criminal Justice under Section 501.014, Government Code; or

15 (B) the total amount of court fees and costs that
16 remain unpaid; and

17 (4) the following costs not otherwise charged to the
18 inmate under Section 14.006, Civil Practice and Remedies Code, if
19 the inmate has previously filed an action dismissed as malicious or
20 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

21 (A) expenses of service of process;

22 (B) postage; and

23 (C) transportation, housing, or medical care
24 incurred in connection with the appearance of the inmate in the
25 court for any proceeding.

26 (b) A clerk of a justice court shall collect fees and costs
27 under other laws as follows:

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1 (1) the cost of a special program that a court may
2 order a child to attend after a finding that the child committed an
3 offense, if ordered by the court (Art. 45.057, Code of Criminal
4 Procedure) . . . costs of the program not to exceed \$100;

5 (2) additional filing fees:

6 (A) to fund Dallas County civil court facilities
7 (Sec. 51.705, Government Code) . . . not more than \$15;

8 (B) for filing any civil action or proceeding
9 requiring a filing fee, including an appeal, and on the filing of
10 any counterclaim, cross-action, intervention, interpleader, or
11 third-party action requiring a filing fee, to fund civil legal
12 services for the indigent (Sec. 133.153, Local Government Code)
13 . . . \$6; [~~and~~]

14 (C) to fund the improvement of Hays County court
15 facilities, if authorized by the county commissioners court (Sec.
16 51.707, Government Code) . . . not more than \$15; and

17 (D) to fund the construction, renovation, or
18 improvement of Rockwall County court facilities, if authorized by
19 the county commissioners court (Sec. 51.709, Government Code) . . .
20 not more than \$15;

21 (3) for filing a suit in Comal County (Sec. 152.0522,
22 Human Resources Code) . . . \$1.50; [~~and~~]

23 (4) fee for hearing on probable cause for removal of a
24 vehicle and placement in a storage facility if assessed by the court
25 (Sec. 2308.457, Occupations Code) . . . \$20; and

26 (5) statewide electronic filing system fund fee (Sec.
27 51.851, Government Code) . . . \$10.

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1 (b) Sections 101.1411 and 101.142, Government Code, are
2 repealed.

3 SECTION 9.116. (a) Section 102.0615, Government Code, is
4 amended to read as follows:

5 Sec. 102.0615. ADDITIONAL COURT COSTS ON CONVICTION IN
6 STATUTORY COUNTY COURT: GOVERNMENT CODE. The clerk of a statutory
7 county court shall collect fees and costs under the Government Code
8 as follows:

9 (1) [~~from a defendant~~] a court cost on conviction
10 (Sec. 51.851, Government Code) . . . \$5; and

11 (2) a stenographer fee, if a record or part of a record
12 is made in the 1st Multicounty Court at Law (Sec. 25.2702,
13 Government Code) . . . \$25 [~~of \$5 under Section 51.851, Government~~
14 ~~Code~~].

15 (b) Section 102.0619, Government Code, is repealed.

16 SECTION 9.117. (a) Section 103.021, Government Code, is
17 amended to read as follows:

18 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
19 CIVIL CASES: CODE OF CRIMINAL PROCEDURE. An accused or defendant,
20 or a party to a civil suit, as applicable, shall pay the following
21 fees and costs under the Code of Criminal Procedure if ordered by
22 the court or otherwise required:

23 (1) a personal bond fee (Art. 17.42, Code of Criminal
24 Procedure) . . . the greater of \$20 or three percent of the amount
25 of the bail fixed for the accused;

26 (2) cost of electronic monitoring as a condition of
27 release on personal bond (Art. 17.43, Code of Criminal Procedure)

1 . . . actual cost;

2 (3) a fee for verification of and monitoring of motor
3 vehicle ignition interlock (Art. 17.441, Code of Criminal
4 Procedure) . . . not to exceed \$10;

5 (3-a) costs associated with operating a global
6 positioning monitoring system as a condition of release on bond
7 (Art. 17.49(b)(2), Code of Criminal Procedure) . . . actual costs,
8 subject to a determination of indigency;

9 (3-b) costs associated with providing a defendant's
10 victim with an electronic receptor device as a condition of the
11 defendant's release on bond (Art. 17.49(b)(3), Code of Criminal
12 Procedure) . . . actual costs, subject to a determination of
13 indigency;

14 (4) repayment of reward paid by a crime stoppers
15 organization on conviction of a felony (Art. 37.073, Code of
16 Criminal Procedure) . . . amount ordered;

17 (5) reimbursement to general revenue fund for payments
18 made to victim of an offense as condition of community supervision
19 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50 for
20 a misdemeanor offense or \$100 for a felony offense;

21 (6) payment to a crime stoppers organization as
22 condition of community supervision (Art. 42.12, Code of Criminal
23 Procedure) . . . not to exceed \$50;

24 (7) children's advocacy center fee (Art. 42.12, Code
25 of Criminal Procedure) . . . not to exceed \$50;

26 (8) family violence center fee (Art. 42.12, Code of
27 Criminal Procedure) . . . \$100;

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1 (9) community supervision fee (Art. 42.12, Code of
2 Criminal Procedure) . . . not less than \$25 or more than \$60 per
3 month;

4 (10) additional community supervision fee for certain
5 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per
6 month;

7 (11) for certain financially able sex offenders as a
8 condition of community supervision, the costs of treatment,
9 specialized supervision, or rehabilitation (Art. 42.12, Code of
10 Criminal Procedure) . . . all or part of the reasonable and
11 necessary costs of the treatment, supervision, or rehabilitation as
12 determined by the judge;

13 (12) fee for failure to appear for trial in a justice
14 or municipal court if a jury trial is not waived (Art. 45.026, Code
15 of Criminal Procedure) . . . costs incurred for impaneling the
16 jury;

17 (13) costs of certain testing, assessments, or
18 programs during a deferral period (Art. 45.051, Code of Criminal
19 Procedure) . . . amount ordered;

20 (14) special expense on dismissal of certain
21 misdemeanor complaints (Art. 45.051, Code of Criminal Procedure)
22 . . . not to exceed amount of fine assessed;

23 (15) an additional fee:

24 (A) for a copy of the defendant's driving record
25 to be requested from the Department of Public Safety by the judge
26 (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal
27 to the sum of the fee established by Section 521.048,

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1 Transportation Code, and the state electronic Internet portal fee;

2 (B) as an administrative fee for requesting a
3 driving safety course or a course under the motorcycle operator
4 training and safety program for certain traffic offenses to cover
5 the cost of administering the article (Art. 45.0511(f)(1), Code of
6 Criminal Procedure) . . . not to exceed \$10; or

7 (C) for requesting a driving safety course or a
8 course under the motorcycle operator training and safety program
9 before the final disposition of the case (Art. 45.0511(f)(2), Code
10 of Criminal Procedure) . . . not to exceed the maximum amount of the
11 fine for the offense committed by the defendant;

12 (16) a request fee for teen court program (Art.
13 45.052, Code of Criminal Procedure) . . . \$20, if the court
14 ordering the fee is located in the Texas-Louisiana border region,
15 but otherwise not to exceed \$10;

16 (17) a fee to cover costs of required duties of teen
17 court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the
18 court ordering the fee is located in the Texas-Louisiana border
19 region, but otherwise \$10;

20 (18) a mileage fee for officer performing certain
21 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per
22 mile;

23 (19) certified mailing of notice of hearing date (Art.
24 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

25 (20) certified mailing of certified copies of an order
26 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,
27 plus postage;

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1 (20-a) a fee to defray the cost of notifying state
2 agencies of orders of expungement (Art. 45.0216, Code of Criminal
3 Procedure) . . . \$30 per application;

4 (20-b) a fee to defray the cost of notifying state
5 agencies of orders of expunction (Art. 45.055, Code of Criminal
6 Procedure) . . . \$30 per application;

7 (21) sight orders:

8 (A) if the face amount of the check or sight order
9 does not exceed \$10 (Art. 102.007, Code of Criminal Procedure)
10 . . . not to exceed \$10;

11 (B) if the face amount of the check or sight order
12 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of
13 Criminal Procedure) . . . not to exceed \$15;

14 (C) if the face amount of the check or sight order
15 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of
16 Criminal Procedure) . . . not to exceed \$30;

17 (D) if the face amount of the check or sight order
18 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of
19 Criminal Procedure) . . . not to exceed \$50; and

20 (E) if the face amount of the check or sight order
21 is greater than \$500 (Art. 102.007, Code of Criminal Procedure)
22 . . . not to exceed \$75;

23 (22) fees for a pretrial intervention program:

24 (A) a supervision fee (Art. 102.012(a), Code of
25 Criminal Procedure) . . . \$60 a month plus expenses; and

26 (B) a district attorney, criminal district
27 attorney, or county attorney administrative fee (Art. 102.0121,

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1 Code of Criminal Procedure) . . . not to exceed \$500;

2 (23) parking fee violations for child safety fund in
3 municipalities with populations:

4 (A) greater than 850,000 (Art. 102.014, Code of
5 Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

6 (B) less than 850,000 (Art. 102.014, Code of
7 Criminal Procedure) . . . not to exceed \$5;

8 (24) an administrative fee for collection of fines,
9 fees, restitution, or other costs (Art. 102.072, Code of Criminal
10 Procedure) . . . not to exceed \$2 for each transaction; ~~and~~

11 (25) a collection fee, if authorized by the
12 commissioners court of a county or the governing body of a
13 municipality, for certain debts and accounts receivable, including
14 unpaid fines, fees, court costs, forfeited bonds, and restitution
15 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30
16 percent of an amount more than 60 days past due; and

17 (26) a cost on conviction for the truancy prevention
18 and diversion fund (Art. 102.015, Code of Criminal Procedure) . . .
19 \$2.

20 (b) Section 103.034, Government Code, is repealed.

21 SECTION 9.118. Section 103.0213, Government Code, as
22 amended by Chapter 1291 (H.B. 2305), Acts of the 83rd Legislature,
23 Regular Session, 2013, is amended to read as follows:

24 Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
25 CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a
26 party to a civil suit, as applicable, shall pay the following fees
27 and costs under the Transportation Code if ordered by the court or

1 otherwise required:

2 (1) administrative fee on dismissal of charge of
3 driving with an expired motor vehicle registration (Sec. 502.407,
4 Transportation Code) . . . not to exceed \$20;

5 (2) administrative fee on dismissal of charge of
6 driving with an expired driver's license (Sec. 521.026,
7 Transportation Code) . . . not to exceed \$20;

8 (2-a) administrative fee on remediation of charge of
9 operation of a vehicle without a registration insignia (Sec.
10 502.473, Transportation Code) . . . not to exceed \$10;

11 (3) administrative fee for failure to appear for a
12 complaint or citation on certain offenses (Sec. 706.006,
13 Transportation Code) . . . \$30 for each violation; and

14 (4) administrative fee for failure to pay or satisfy
15 certain judgments (Sec. 706.006, Transportation Code) . . . \$30.

16 SECTION 9.119. (a) Section 103.027(a), Government Code, is
17 amended to read as follows:

18 (a) Fees and costs shall be paid or collected under the
19 Government Code as follows:

20 (1) filing a certified copy of a judicial finding of
21 fact and conclusion of law if charged by the secretary of state
22 (Sec. 51.905, Government Code) . . . \$15;

23 (2) cost paid by each surety posting the bail bond for
24 an offense other than a misdemeanor punishable by fine only under
25 Chapter 17, Code of Criminal Procedure, for the assistant
26 prosecutor supplement fund and the fair defense account (Sec.
27 41.258, Government Code) . . . \$15, provided the cost does not

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1 exceed \$30 for all bail bonds posted at that time for an individual
2 and the cost is not required on the posting of a personal or cash
3 bond;

4 (3) to participate in a court proceeding in this
5 state, a nonresident attorney fee (Sec. 82.0361, Government Code)
6 . . . \$250 except as waived or reduced under supreme court rules for
7 representing an indigent person; ~~and~~

8 (4) on a party's appeal of a final decision in a
9 contested case, the cost of preparing the original or a certified
10 copy of the record of the agency proceeding, if required by the
11 agency's rule, as a court cost (Sec. 2001.177, Government Code)
12 . . . as assessed by the court, all or part of the cost of
13 preparation;

14 (5) a program fee for a drug court program (Sec.
15 123.004, Government Code) . . . not to exceed \$1,000;

16 (6) an alcohol or controlled substance testing,
17 counseling, and treatment fee (Sec. 123.004, Government Code) . . .
18 the amount necessary to cover the costs of testing, counseling, and
19 treatment;

20 (7) a reasonable program fee for a veterans court
21 program (Sec. 124.005, Government Code) . . . not to exceed \$1,000;

22 (8) a testing, counseling, and treatment fee for
23 testing, counseling, or treatment performed or provided under a
24 veterans court program (Sec. 124.005, Government Code) . . . the
25 amount necessary to cover the costs of testing, counseling, or
26 treatment; and

27 (9) a nonrefundable program fee for a prostitution

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1 prevention program (Sec. 126.006, Government Code) . . . a
2 reasonable amount not to exceed \$1,000, which must include a
3 counseling and services fee in an amount necessary to cover the
4 costs of counseling and services provided by the program, a victim
5 services fee in an amount equal to 10 percent of the total fee, and a
6 law enforcement training fee in an amount equal to five percent of
7 the total fee.

8 (b) The following are repealed:

- 9 (1) Section 103.0271, Government Code; and
- 10 (2) Section 103.0292, Government Code, as added by
- 11 Chapter 1167 (S.B. 484), Acts of the 83rd Legislature, Regular
- 12 Session, 2013.

13 ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE

14 SECTION 10.001. Section 711.052(a), Health and Safety Code,
15 as amended by Chapters 123 (S.B. 661) and 220 (H.B. 52), Acts of the
16 83rd Legislature, Regular Session, 2013, is reenacted and amended
17 to read as follows:

18 (a) A person who is an individual, firm, association,
19 corporation, or municipality, or an officer, agent, or employee of
20 an individual, firm, association, corporation, or municipality,
21 commits an offense if the person:

- 22 (1) engages in a business for cemetery purposes in
- 23 this state other than through a corporation organized for that
- 24 purpose, if a corporation is required by law;
- 25 (2) fails or refuses to keep records of interment as
- 26 required by Sections 711.003 and 711.004;
- 27 (3) sells, offers to sell, or advertises for sale a

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1 plot or the exclusive right of sepulture in a plot for purposes of
2 speculation or investment;

3 (4) represents through advertising or printed
4 material that a retail department will be established for the
5 resale of the plots of plot purchasers, that specific improvements
6 will be made in the cemetery, or that specific merchandise or
7 services will be furnished to a plot owner, unless adequate funds or
8 reserves are created by the cemetery organization for the
9 represented purpose;

10 (5) makes more than one interment in a plot in a
11 cemetery operated by a cemetery organization other than as provided
12 by Section 711.0395; [~~or~~]

13 (6) removes remains from a plot in a cemetery operated
14 by a cemetery organization without complying with Section 711.004;

15 (7) [~~(5)~~] offers or receives monetary inducement to
16 solicit business for a cemetery broker;

17 (8) [~~(6)~~] fails or refuses to keep records of sales or
18 resales or to collect and remit fees as required by Section
19 711.0381; or

20 (9) [~~(7)~~] fails or refuses to register as a cemetery
21 broker as required by Subchapter C-1.

22 SECTION 10.002. Section 754.016(c), Health and Safety Code,
23 as amended by Chapters 538 (S.B. 540) and 558 (S.B. 673), Acts of
24 the 83rd Legislature, Regular Session, 2013, is reenacted to read
25 as follows:

26 (c) The executive director shall issue a certificate of
27 compliance to the owner.

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1 SECTION 10.003. Section 754.023(k), Health and Safety Code,
2 as amended by Chapter 538 (S.B. 540), Acts of the 83rd Legislature,
3 Regular Session, 2013, is repealed to conform to the repeal of
4 Section 754.023, Health and Safety Code, by Chapter 558 (S.B. 673),
5 Acts of the 83rd Legislature, Regular Session, 2013.

6 SECTION 10.004. Section 773.0571, Health and Safety Code,
7 as amended by Chapters 1089 (H.B. 3556) and 1311 (S.B. 8), Acts of
8 the 83rd Legislature, Regular Session, 2013, is reenacted and
9 amended to read as follows:

10 Sec. 773.0571. REQUIREMENTS FOR PROVIDER LICENSE. The
11 department shall issue to an emergency medical services provider
12 applicant a license that is valid for two years if the department is
13 satisfied that:

14 (1) the applicant has adequate staff to meet the
15 staffing standards prescribed by this chapter and the rules adopted
16 under this chapter;

17 (2) each emergency medical services vehicle is
18 adequately constructed, equipped, maintained, and operated to
19 render basic or advanced life support services safely and
20 efficiently;

21 (3) the applicant offers safe and efficient services
22 for emergency prehospital care and transportation of patients;

23 (4) the applicant:

24 (A) possesses sufficient professional experience
25 and qualifications to provide emergency medical services; and

26 (B) has not been excluded from participation in
27 the state Medicaid program;

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1 (5) the applicant holds a letter of approval issued
2 under Section 773.0573 by the governing body of the municipality or
3 the commissioners court of the county in which the applicant is
4 located and is applying to provide emergency medical services, as
5 applicable; ~~and~~

6 (6) the applicant employs a medical director; and

7 (7) ~~(6)~~ the applicant complies with the rules
8 adopted under this chapter.

9 ARTICLE 11. CHANGES RELATING TO INSURANCE CODE

10 SECTION 11.001. Section 401.156, Insurance Code, as amended
11 by Chapters 489 (S.B. 1665) and 1286 (H.B. 2163), Acts of the 83rd
12 Legislature, Regular Session, 2013, is reenacted and amended to
13 read as follows:

14 Sec. 401.156. DEPOSIT AND USE OF ASSESSMENT AND FEE.

15 (a) The department shall deposit any assessments or fees collected
16 under this subchapter relating to the examination of insurers and
17 other regulated entities by the financial examinations division or
18 actuarial division, as those terms are defined by Section 401.251,
19 to the credit of an account with the Texas Treasury Safekeeping
20 Trust Company to be used exclusively to pay examination costs, as
21 defined by Section 401.251, to reimburse administrative support
22 costs for the Texas Department of Insurance operating account, and
23 to reimburse premium tax credits for examination costs and
24 examination overhead assessments~~[, reimbursement of the Texas
25 Department of Insurance operating account for administrative
26 support costs, and reimbursement of premium tax credits for
27 examination costs and examination overhead assessments]~~.

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1 (b) [~~(a-1)~~] Money deposited under Subsection (a)
2 accumulates and may be disbursed to the department in a manner
3 consistent with that subsection and Subchapter F.

4 (c) Revenue that is not related to the examination of
5 insurers or other regulated entities by the financial examinations
6 division or actuarial division shall be deposited to the credit of
7 the Texas Department of Insurance operating account.

8 (d) To the extent that another provision of law conflicts
9 with this section or a provision of this section, this section or
10 the provision of this section controls.

11 (e) The department may transfer funds between the account
12 described by Subsection (a) and the Texas Department of Insurance
13 operating account as necessary to ensure that funds are deposited
14 to the correct account and used for the correct purposes. This
15 subsection does not authorize a disbursement or transfer of funds
16 in a manner that is inconsistent with the purposes of Subchapter F
17 and this section.

18 SECTION 11.002. Section 981.215(a), Insurance Code, as
19 amended by Chapters 595 (S.B. 951) and 920 (H.B. 1405), Acts of the
20 83rd Legislature, Regular Session, 2013, is reenacted and amended
21 to read as follows:

22 (a) A surplus lines agent shall maintain a complete record
23 of each surplus lines contract obtained by the agent, including any
24 of the following, if applicable:

- 25 (1) a copy of the daily report;
- 26 (2) the amount of the insurance and risks insured
- 27 against;

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1 (3) a brief general description of the property
2 insured and the location of that property;

3 (4) the gross premium charged;

4 (5) the return premium paid;

5 (6) the rate of premium charged on the different items
6 of property;

7 (7) the contract terms, including the effective date;

8 (8) the insured's name and post office address;

9 (9) the insurer's name and home office address;

10 (10) the amount collected from the insured;

11 (11) an agreement under Section 225.006(c); [~~and~~]

12 (12) [~~(11)~~] evidence establishing that the insured
13 qualified as an exempt commercial purchaser and that the surplus
14 lines agent complied with the requirements of Section 981.004(c) if
15 a diligent effort to obtain insurance in the admitted market was not
16 made pursuant to Section 981.004(a)(1); and

17 (13) [~~(12)~~] any other information required by the
18 department.

19 SECTION 11.003. (a) Section 1355.015(a), Insurance Code,
20 as amended by Chapters 1070 (H.B. 3276) and 1359 (S.B. 1484), Acts
21 of the 83rd Legislature, Regular Session, 2013, is reenacted to
22 read as follows:

23 (a) At a minimum, a health benefit plan must provide
24 coverage for screening a child for autism spectrum disorder at the
25 ages of 18 and 24 months.

26 (b) Section 1355.015(a-1), Insurance Code, as added by
27 Chapter 1070 (H.B. 3276), Acts of the 83rd Legislature, Regular

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1 Session, 2013, is reenacted to conform to the changes made to
2 Section 1355.015(a), Insurance Code, by Chapter 1359 (S.B. 1484),
3 Acts of the 83rd Legislature, Regular Session, 2013, to read as
4 follows:

5 (a-1) At a minimum, a health benefit plan must provide
6 coverage for treatment of autism spectrum disorder as provided by
7 this section to an enrollee who is diagnosed with autism spectrum
8 disorder from the date of diagnosis, only if the diagnosis was in
9 place prior to the child's 10th birthday.

10 ARTICLE 12. CHANGES RELATING TO LOCAL GOVERNMENT CODE

11 SECTION 12.001. Section 54.012, Local Government Code, as
12 amended by Chapters 135 (S.B. 654) and 1396 (H.B. 1554), Acts of the
13 83rd Legislature, Regular Session, 2013, is reenacted and amended
14 to read as follows:

15 Sec. 54.012. CIVIL ACTION. A municipality may bring a
16 civil action for the enforcement of an ordinance:

17 (1) for the preservation of public safety, relating to
18 the materials or methods used to construct a building or other
19 structure or improvement, including the foundation, structural
20 elements, electrical wiring or apparatus, plumbing and fixtures,
21 entrances, or exits;

22 (2) relating to the preservation of public health or
23 to the fire safety of a building or other structure or improvement,
24 including provisions relating to materials, types of construction
25 or design, interior configuration, illumination, warning devices,
26 sprinklers or other fire suppression devices, availability of water
27 supply for extinguishing fires, or location, design, or width of

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1 entrances or exits;

2 (3) for zoning that provides for the use of land or
3 classifies a parcel of land according to the municipality's
4 district classification scheme;

5 (4) establishing criteria for land subdivision or
6 construction of buildings, including provisions relating to street
7 width and design, lot size, building width or elevation, setback
8 requirements, or utility service specifications or requirements;

9 (5) implementing civil penalties under this
10 subchapter for conduct classified by statute as a Class C
11 misdemeanor;

12 (6) relating to dangerously damaged or deteriorated
13 structures or improvements;

14 (7) relating to conditions caused by accumulations of
15 refuse, vegetation, or other matter that creates breeding and
16 living places for insects and rodents;

17 (8) relating to the interior configuration, design,
18 illumination, or visibility of business premises exhibiting for
19 viewing by customers while on the premises live or mechanically or
20 electronically displayed entertainment intended to provide sexual
21 stimulation or sexual gratification;

22 (9) relating to point source effluent limitations or
23 the discharge of a pollutant, other than from a non-point source,
24 into a sewer system, including a sanitary or storm water sewer
25 system, owned or controlled by the municipality; [~~or~~]

26 (10) relating to floodplain control and
27 administration, including an ordinance regulating the placement of

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1 a structure, fill, or other materials in a designated floodplain;
2 (11) [~~(10)~~] relating to animal care and control; or
3 (12) [~~(11)~~] relating to water conservation measures,
4 including watering restrictions.

5 SECTION 12.002. Section 214.906, Local Government Code, is
6 repealed to conform to the expiration of Title 16, Property Code, on
7 September 1, 2009.

8 SECTION 12.003. The heading to Section 381.004, Local
9 Government Code, is amended to more accurately reflect the
10 substance of that section to read as follows:

11 Sec. 381.004. COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAMS
12 [~~IN CERTAIN COUNTIES~~].

13 ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

14 SECTION 13.001. Section 61.011(d), Natural Resources Code,
15 as amended by Chapters 152 (H.B. 2623) and 1086 (H.B. 3459), Acts of
16 the 83rd Legislature, Regular Session, 2013, is reenacted and
17 amended to read as follows:

18 (d) The commissioner shall promulgate rules, consistent
19 with the policies established in this section, on the following
20 matters only:

21 (1) acquisition by local governments or other
22 appropriate entities or public dedication of access ways sufficient
23 to provide adequate public ingress and egress to and from the beach
24 within the area described in Subdivision (6);

25 (2) protection of the public easement from erosion or
26 reduction caused by development or other activities on adjacent
27 land and beach cleanup and maintenance;

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1 (3) local government prohibitions of vehicular
2 traffic on public beaches, provision of off-beach parking, the use
3 on a public beach of a golf cart, as defined by Section 502.001,
4 Transportation Code, for the transportation of a person with a
5 physical disability, and other minimum measures needed to mitigate
6 for any adverse effect on public access and dune areas;

7 (4) imposition of beach access, user, or parking fees
8 and reasonable exercises of the police power by local governments
9 with respect to public beaches;

10 (5) contents and certification of beach access and use
11 plans and standards for local government review of construction on
12 land adjacent to and landward of public beaches, including
13 procedures for expedited review of beach access and use plans under
14 Section 61.015;

15 (6) construction on land adjacent to and landward of
16 public beaches and lying in the area either up to the first public
17 road generally parallel to the beach or to any closer public road
18 not parallel to the beach, or to within 1,000 feet of mean high
19 tide, whichever is greater, that affects or may affect public
20 access to and use of public beaches;

21 (7) the temporary suspension under Section 61.0185 of
22 enforcement of the prohibition against encroachments on and
23 interferences with the public beach easement and the ability of a
24 property owner to make repairs to a house while a suspension is in
25 effect;

26 (8) the determination of the line of vegetation or
27 natural line of vegetation;

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1 (9) the factors to be considered in determining
2 whether a structure, improvement, obstruction, barrier, or hazard
3 on the public beach:

4 (A) constitutes an imminent hazard to safety,
5 health, or public welfare; or

6 (B) substantially interferes with the free and
7 unrestricted right of the public to enter or leave the public beach
8 or traverse any part of the public beach;

9 (10) the procedures for determining whether a
10 structure is not insurable property for purposes of Section
11 2210.004, Insurance Code, because of the factors listed in
12 Subsection (h) of that section; ~~and~~

13 (11) the closure of beaches for space flight
14 activities; and

15 (12) [~~(11)~~] the temporary suspension under Section
16 61.0171 of the determination of the "line of vegetation" or the
17 "natural line of vegetation."

18 ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

19 SECTION 14.001. The heading to Chapter 55, Occupations
20 Code, as amended by Chapters 66 (S.B. 162) and 348 (H.B. 2254), Acts
21 of the 83rd Legislature, Regular Session, 2013, is reenacted to
22 read as follows:

23 CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY
24 VETERANS, AND MILITARY SPOUSES

25 SECTION 14.002. Section 2301.610(d), Occupations Code, as
26 amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of
27 the 83rd Legislature, Regular Session, 2013, is reenacted and

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1 amended to read as follows:

2 (d) The department shall maintain a toll-free telephone
3 number to provide information to a person who requests information
4 about a condition or defect that was the basis for repurchase or
5 replacement by an order issued under this chapter
6 [~~subchapter~~]. The department shall maintain an effective method
7 of providing information to a person who makes a request.

8 ARTICLE 15. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

9 SECTION 15.001. (a) Chapter 1, Special District Local Laws
10 Code, is amended by adding Section 1.005 to read as follows:

11 Sec. 1.005. EFFECT OF NONSUBSTANTIVE REVISION ON CERTAIN
12 EMINENT DOMAIN AUTHORITY. The revision by Chapter 112 (S.B. 1026),
13 Acts of the 83rd Legislature, Regular Session, 2013, effective
14 April 1, 2015, of a law regarding eminent domain authority, or any
15 other nonsubstantive revision in this code of a law regarding
16 eminent domain authority, does not affect any expiration of an
17 entity's eminent domain authority that may have occurred under
18 Section 2206.101, Government Code, on September 1, 2013.

19 (b) This section takes effect immediately if this Act
20 receives a vote of two-thirds of all the members elected to each
21 house, as provided by Section 39, Article III, Texas Constitution.
22 If this Act does not receive the vote necessary for immediate
23 effect, this section takes effect September 1, 2015.

24 SECTION 15.002. (a) Section 8446.006, Special District
25 Local Laws Code, as added by Chapter 1250 (S.B. 1910), Acts of the
26 83rd Legislature, Regular Session, 2013, is amended to conform to
27 Section 8446.006, Special District Local Laws Code, as added by

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1 Chapter 1309 (H.B. 3954), Acts of the 83rd Legislature, Regular
2 Session, 2013, to read as follows:

3 Sec. 8446.006. INITIAL DISTRICT TERRITORY. (a) The
4 district is initially composed of the territory described by
5 Section 4, Chapter 1250, and Section 5, Chapter 1309, Acts of the
6 83rd Legislature, Regular Session, 2013 [~~of the Act enacting this~~
7 ~~chapter~~].

8 (b) The boundaries and field notes contained in Section 4,
9 Chapter 1250, and Section 5, Chapter 1309, Acts of the 83rd
10 Legislature, Regular Session, 2013, [~~of the Act enacting this~~
11 ~~chapter~~] form a closure. A mistake made in the field notes or in
12 copying the field notes in the legislative process does not affect
13 the district's:

- 14 (1) organization, existence, or validity;
- 15 (2) right to issue any type of bond for the purposes
16 for which the district is created or to pay the principal of and
17 interest on a bond;
- 18 (3) right to impose a tax; or
- 19 (4) legality or operation.

20 (b) Section 8446.006, Special District Local Laws Code, as
21 added by Chapter 1309 (H.B. 3954), Acts of the 83rd Legislature,
22 Regular Session, 2013, is repealed.

23 SECTION 15.003. (a) Section 8469.006, Special District
24 Local Laws Code, as added by Chapter 1244 (S.B. 1877), Acts of the
25 83rd Legislature, Regular Session, 2013, is amended to conform to
26 Section 8469.006, Special District Local Laws Code, as added by
27 Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature, Regular

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1 Session, 2013, to read as follows:

2 Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The
3 district is initially composed of the territory described by
4 Section 2, Chapter 1244, and Section 6, Chapter 1308, Acts of the
5 83rd Legislature, Regular Session, 2013 [~~of the Act enacting this~~
6 ~~chapter~~].

7 (b) The boundaries and field notes contained in Section 2,
8 Chapter 1244, and Section 6, Chapter 1308, Acts of the 83rd
9 Legislature, Regular Session, 2013, [~~of the Act enacting this~~
10 ~~chapter~~] form a closure. A mistake made in the field notes or in
11 copying the field notes in the legislative process does not affect
12 the district's:

- 13 (1) organization, existence, or validity;
- 14 (2) right to issue any type of bond for the purposes
- 15 for which the district is created or to pay the principal of and
- 16 interest on a bond;
- 17 (3) right to impose a tax; or
- 18 (4) legality or operation.

19 (b) Section 8469.006, Special District Local Laws Code, as
20 added by Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature,
21 Regular Session, 2013, is repealed.

22 SECTION 15.004. (a) Section 8469.106(c), Special District
23 Local Laws Code, as added by Chapter 1244 (S.B. 1877), Acts of the
24 83rd Legislature, Regular Session, 2013, is amended to conform to
25 Section 8469.106(c), Special District Local Laws Code, as added by
26 Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature, Regular
27 Session, 2013, to read as follows:

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1 (c) Any new district created by the division of the district
2 may not, at the time the new district is created, contain any land
3 outside the area described by Section 2, Chapter 1244, and Section
4 6, Chapter 1308, Acts of the 83rd Legislature, Regular Session,
5 2013 [~~of the Act creating this chapter~~].

6 (b) Section 8469.106(c), Special District Local Laws Code,
7 as added by Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature,
8 Regular Session, 2013, is repealed.

9 ARTICLE 16. CHANGES RELATING TO TAX CODE

10 SECTION 16.001. Section 25.025(a), Tax Code, as amended by
11 Chapters 996 (H.B. 2267) and 1028 (H.B. 2676), Acts of the 83rd
12 Legislature, Regular Session, 2013, is reenacted and amended to
13 read as follows:

14 (a) This section applies only to:

15 (1) a current or former peace officer as defined by
16 Article 2.12, Code of Criminal Procedure;

17 (2) a county jailer as defined by Section 1701.001,
18 Occupations Code;

19 (3) an employee of the Texas Department of Criminal
20 Justice;

21 (4) a commissioned security officer as defined by
22 Section 1702.002, Occupations Code;

23 (5) a victim of family violence as defined by Section
24 71.004, Family Code, if as a result of the act of family violence
25 against the victim, the actor is convicted of a felony or a Class A
26 misdemeanor;

27 (6) a federal judge, a state judge, or the spouse of a

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1 federal judge or state judge;

2 (7) a current or former employee of a district
3 attorney, criminal district attorney, or county or municipal
4 attorney whose jurisdiction includes any criminal law or child
5 protective services matters;

6 (8) an officer or employee of a community supervision
7 and corrections department established under Chapter 76,
8 Government Code, who performs a duty described by Section 76.004(b)
9 of that code;

10 (9) a criminal investigator of the United States as
11 described by Article 2.122(a), Code of Criminal Procedure;

12 (10) a police officer or inspector of the United
13 States Federal Protective Service;

14 (11) a current or former United States attorney or
15 assistant United States attorney and the spouse and child of the
16 attorney;

17 (12) a current or former employee of the office of the
18 attorney general who is or was assigned to a division of that office
19 the duties of which involve law enforcement; ~~and~~

20 (13) a medical examiner or person who performs
21 forensic analysis or testing who is employed by this state or one or
22 more political subdivisions of this state; and

23 (14) [~~(13)~~] a current or former member of the United
24 States armed forces who has served in an area that the president of
25 the United States by executive order designates for purposes of 26
26 U.S.C. Section 112 as an area in which armed forces of the United
27 States are or have engaged in combat.

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1 SECTION 16.002. Section 33.49(a), Tax Code, as amended by
2 Chapters 1259 (H.B. 585) and 1290 (H.B. 2302), Acts of the 83rd
3 Legislature, Regular Session, 2013, is reenacted to read as
4 follows:

5 (a) Except as provided by Subsection (b), a taxing unit is
6 not liable in a suit to collect taxes for court costs, including any
7 fees for service of process or electronic filing, an attorney ad
8 litem, arbitration, or mediation, and may not be required to post
9 security for costs.

10 SECTION 16.003. Section 171.052(a), Tax Code, as amended by
11 Chapters 569 (S.B. 734) and 1232 (H.B. 500), Acts of the 83rd
12 Legislature, Regular Session, 2013, is reenacted to read as
13 follows:

14 (a) Except as provided by Subsection (c), an insurance
15 organization, title insurance company, or title insurance agent
16 authorized to engage in insurance business in this state that is
17 required to pay an annual tax measured by its gross premium receipts
18 is exempted from the franchise tax. A nonadmitted insurance
19 organization that is required to pay a gross premium receipts tax
20 during a tax year is exempted from the franchise tax for that same
21 tax year. A nonadmitted insurance organization that is subject to
22 an occupation tax or any other tax that is imposed for the privilege
23 of doing business in another state or a foreign jurisdiction,
24 including a tax on gross premium receipts, is exempted from the
25 franchise tax.

26 SECTION 16.004. Section 351.101(a), Tax Code, as amended by
27 Chapters 541 (S.B. 551) and 546 (S.B. 585), Acts of the 83rd

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1 Legislature, Regular Session, 2013, is reenacted and amended to
2 read as follows:

3 (a) Revenue from the municipal hotel occupancy tax may be
4 used only to promote tourism and the convention and hotel industry,
5 and that use is limited to the following:

6 (1) the acquisition of sites for and the construction,
7 improvement, enlarging, equipping, repairing, operation, and
8 maintenance of convention center facilities or visitor information
9 centers, or both;

10 (2) the furnishing of facilities, personnel, and
11 materials for the registration of convention delegates or
12 registrants;

13 (3) advertising and conducting solicitations and
14 promotional programs to attract tourists and convention delegates
15 or registrants to the municipality or its vicinity;

16 (4) the encouragement, promotion, improvement, and
17 application of the arts, including instrumental and vocal music,
18 dance, drama, folk art, creative writing, architecture, design and
19 allied fields, painting, sculpture, photography, graphic and craft
20 arts, motion pictures, radio, television, tape and sound recording,
21 and other arts related to the presentation, performance, execution,
22 and exhibition of these major art forms;

23 (5) historical restoration and preservation projects
24 or activities or advertising and conducting solicitations and
25 promotional programs to encourage tourists and convention
26 delegates to visit preserved historic sites or museums:

27 (A) at or in the immediate vicinity of convention

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1 center facilities or visitor information centers; or

2 (B) located elsewhere in the municipality or its
3 vicinity that would be frequented by tourists and convention
4 delegates;

5 (6) for a municipality located in a county with a
6 population of one million or less, expenses, including promotion
7 expenses, directly related to a sporting event in which the
8 majority of participants are tourists who substantially increase
9 economic activity at hotels and motels within the municipality or
10 its vicinity;

11 (7) subject to Section 351.1076, the promotion of
12 tourism by the enhancement and upgrading of existing sports
13 facilities or fields, including facilities or fields for baseball,
14 softball, soccer, and flag football, if:

15 (A) the municipality owns the facilities or
16 fields;

17 (B) the municipality:

18 (i) has a population of 80,000 or more and
19 is located in a county that has a population of 350,000 or less;

20 (ii) has a population of at least 75,000 but
21 not more than 95,000 and is located in a county that has a
22 population of less than 200,000 but more than 160,000;

23 (iii) has a population of at least 36,000
24 but not more than 39,000 and is located in a county that has a
25 population of 100,000 or less that is not adjacent to a county with
26 a population of more than two million;

27 (iv) has a population of at least 13,000 but

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1 less than 39,000 and is located in a county that has a population of
2 at least 200,000;

3 (v) has a population of at least 70,000 but
4 less than 90,000 and no part of which is located in a county with a
5 population greater than 150,000;

6 (vi) is located in a county that:

7 (a) is adjacent to the Texas-Mexico
8 border;

9 (b) has a population of at least
10 500,000; and

11 (c) does not have a municipality with
12 a population greater than 500,000;

13 (vii) has a population of at least 25,000
14 but not more than 26,000 and is located in a county that has a
15 population of 90,000 or less; [~~or~~]

16 (viii) has a population of at least 7,500
17 and is located in a county that borders the Pecos River and that has
18 a population of not more than 15,000; or

19 (ix) [~~(viii)~~] is located in a county that
20 has a population of not more than 300,000 and in which a component
21 university of the University of Houston System is located; and

22 (C) the sports facilities and fields have been
23 used, in the preceding calendar year, a combined total of more than
24 10 times for district, state, regional, or national sports
25 tournaments;

26 (8) for a municipality with a population of at least
27 70,000 but less than 90,000, no part of which is located in a county

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1 with a population greater than 150,000, the construction,
2 improvement, enlarging, equipping, repairing, operation, and
3 maintenance of a coliseum or multiuse facility;

4 (9) signage directing the public to sights and
5 attractions that are visited frequently by hotel guests in the
6 municipality;

7 (10) the construction of a recreational venue in the
8 immediate vicinity of area hotels, if:

9 (A) the municipality:

10 (i) is a general-law municipality;

11 (ii) has a population of not more than 900;

12 and

13 (iii) does not impose an ad valorem tax;

14 (B) not more than \$100,000 of municipal hotel
15 occupancy tax revenue is used for the construction of the
16 recreational venue;

17 (C) a majority of the hotels in the municipality
18 request the municipality to construct the recreational venue;

19 (D) the recreational venue will be used primarily
20 by hotel guests; and

21 (E) the municipality will pay for maintenance of
22 the recreational venue from the municipality's general fund;

23 (11) the construction, improvement, enlarging,
24 equipping, repairing, operation, and maintenance of a coliseum or
25 multiuse facility, if the municipality:

26 (A) has a population of at least 90,000 but less
27 than 120,000; and

1 (B) is located in two counties, at least one of
2 which contains the headwaters of the San Gabriel River; and

3 (12) for a municipality with a population of more than
4 175,000 but less than 225,000 that is located in two counties, each
5 of which has a population of less than 200,000, the construction,
6 improvement, enlarging, equipping, repairing, operation, and
7 maintenance of a coliseum or multiuse facility and related
8 infrastructure or a venue, as defined by Section 334.001(4), Local
9 Government Code, that is related to the promotion of tourism.

10 SECTION 16.005. Section 352.002(a-1), Tax Code, is amended
11 to read as follows:

12 (a-1) In addition to the counties described by Subsection
13 (a), the commissioners court of a county in which an airport
14 essential to the economy of the county is located may by the
15 adoption of an order or resolution impose a tax on a person who,
16 under a lease, concession, permit, right of access, license,
17 contract, or agreement, pays for the use or possession or for the
18 right to the use or possession of a room that is in a hotel, costs \$2
19 or more each day, and is ordinarily used for sleeping. For the
20 purposes of this subsection, an airport is considered to be
21 essential to the economy of a county only if the airport is a
22 commercial-service international airport within Class C airspace
23 and is located in a county and owned by a municipality each having a
24 population of less than 150,000 [~~125,000~~]. This subsection does
25 not apply to a county described by Subsection (a)(13).

26 ARTICLE 17. CHANGES RELATING TO TRANSPORTATION CODE

27 SECTION 17.001. Section 222.108(d), Transportation Code,

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1 as amended by Chapter 1182 (S.B. 971), Acts of the 83rd Legislature,
2 Regular Session, 2013, and repealed by Chapter 114 (S.B. 1110),
3 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
4 to give effect to the amendment by Chapter 1182 to read as follows:

- 5 (d) In this section, "transportation project" includes:
- 6 (1) transportation projects described by Section
- 7 370.003; and
- 8 (2) port security, transportation, or facility
- 9 projects described by Section 55.001(5).

10 SECTION 17.002. Section 222.110(e), Transportation Code,
11 as amended by Chapters 114 (S.B. 1110) and 1134 (H.B. 2300), Acts of
12 the 83rd Legislature, Regular Session, 2013, is reenacted and
13 amended to read as follows:

- 14 (e) The sales and use taxes to be deposited into the tax
- 15 increment account under this section may be disbursed from the
- 16 account only to:
- 17 (1) pay for projects authorized under Section 222.104
- 18 or 222.108; and
- 19 (2) notwithstanding Sections 321.506 and 323.505, Tax
- 20 Code, satisfy claims of holders of tax increment bonds, notes, or
- 21 other obligations issued or incurred for projects authorized under
- 22 Section 222.104, ~~or~~ 222.1071, or 222.108.

23 SECTION 17.003. Section 251.018, Transportation Code, as
24 added by Chapter 1134 (H.B. 2300), Acts of the 83rd Legislature,
25 Regular Session, 2013, is repealed as duplicative of Section
26 251.019, Transportation Code, as added by Chapter 1372 (S.B. 1747),
27 Acts of the 83rd Legislature, Regular Session, 2013.

1 SECTION 17.004. Section 460.406(c), Transportation Code,
2 is amended to correct a reference to read as follows:

3 (c) The board of directors may authorize the negotiation of
4 a contract without competitive sealed bids or proposals if:

5 (1) the aggregate amount involved in the contract is
6 \$50,000 or less;

7 (2) the contract is for construction for which not
8 more than one bid or proposal is received;

9 (3) the contract is for services or property for which
10 there is only one source or for which it is otherwise impracticable
11 to obtain competition;

12 (4) the contract is to respond to an emergency for
13 which the public exigency does not permit the delay incident to the
14 competitive process;

15 (5) the contract is for personal or professional
16 services or services for which competitive bidding is precluded by
17 law;

18 (6) the contract, without regard to form and which may
19 include bonds, notes, loan agreements, or other obligations, is for
20 the purpose of borrowing money or is a part of a transaction
21 relating to the borrowing of money, including:

22 (A) a credit support agreement, such as a line or
23 letter of credit or other debt guaranty;

24 (B) a bond, note, debt sale or purchase, trustee,
25 paying agent, remarketing agent, indexing agent, or similar
26 agreement;

27 (C) an agreement with a securities dealer,

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1 broker, or underwriter; and

2 (D) any other contract or agreement considered by
3 the board of directors to be appropriate or necessary in support of
4 the authority's financing activities;

5 (7) the contract is for work that is performed and paid
6 for by the day as the work progresses;

7 (8) the contract is for the lease or purchase of an
8 interest in land;

9 (9) the contract is for the purchase of personal
10 property sold:

11 (A) at an auction by a state licensed auctioneer;

12 (B) at a going out of business sale held in
13 compliance with Subchapter F, Chapter 17, Business & Commerce Code;
14 or

15 (C) by a political subdivision of this state, a
16 state agency, or an entity of the federal government;

17 (10) the contract is for services performed by blind
18 or severely disabled persons;

19 (11) the contract is for the purchase of electricity;

20 (12) the contract is one for an authority project and
21 awarded for alternate project delivery using the procedures under
22 Subchapters E, F, G, and I, Chapter 2269 [~~2267~~], Government Code [~~,
23 as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature,
24 Regular Session, 2011~~]; or

25 (13) the contract is for fare enforcement officer
26 services under Section 460.1092.

27 SECTION 17.005. Section 502.402(a), Transportation Code,

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1 as amended by Chapters 1273 (H.B. 1198) and 1277 (H.B. 1573), Acts
2 of the 83rd Legislature, Regular Session, 2013, is reenacted to
3 read as follows:

- 4 (a) This section applies only to:
 - 5 (1) a county that:
 - 6 (A) borders the United Mexican States; and
 - 7 (B) has a population of more than 250,000; and
 - 8 (2) a county that has a population of more than 1.5
9 million that is coterminous with a regional mobility authority.

10 SECTION 17.006. Section 521.044(a), Transportation Code,
11 as amended by Chapters 1012 (H.B. 2512) and 1105 (H.B. 3787), Acts
12 of the 83rd Legislature, Regular Session, 2013, is reenacted and
13 amended to read as follows:

- 14 (a) Information provided on a driver's license application
15 that relates to the applicant's social security number may be used
16 only by the department or disclosed only to:
 - 17 (1) the child support enforcement division of the
18 attorney general's office;
 - 19 (2) another state entity responsible for enforcing the
20 payment of child support;
 - 21 (3) the United States Selective Service System as
22 provided by Section 521.147;
 - 23 (4) the unclaimed property division of the
24 comptroller's office; [~~or~~]
 - 25 (5) the Health and Human Services Commission; or
 - 26 (6) [~~(5)~~] the secretary of state for the purposes of
27 voter registration or the administration of elections.

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1 SECTION 17.007. Section 541.201(1), Transportation Code,
2 as amended by Chapters 17 (S.B. 223), 254 (H.B. 567), 275 (H.B.
3 802), and 630 (S.B. 1917), Acts of the 83rd Legislature, Regular
4 Session, 2013, is reenacted and amended to read as follows:

- 5 (1) "Authorized emergency vehicle" means:
- 6 (A) a fire department or police vehicle;
- 7 (B) a public or private ambulance operated by a
8 person who has been issued a license by the Department of State
9 Health Services;
- 10 (C) an emergency medical services vehicle:
- 11 (i) authorized under an emergency medical
12 services provider license issued by the Department of State Health
13 Services under Chapter 773, Health and Safety Code; and
- 14 (ii) operating under a contract with an
15 emergency services district that requires the emergency medical
16 services provider to respond to emergency calls with the vehicle;
- 17 (D) a municipal department or public service
18 corporation emergency vehicle that has been designated or
19 authorized by the governing body of a municipality;
- 20 (E) [~~(D)~~] a county-owned or county-leased
21 emergency management vehicle that has been designated or authorized
22 by the commissioners court;
- 23 (F) a vehicle that has been designated by the
24 department under Section 546.0065;
- 25 (G) [~~(E)~~] a private vehicle of a volunteer
26 firefighter or a certified emergency medical services employee or
27 volunteer when responding to a fire alarm or medical emergency;

1 (H) [~~(F)~~] an industrial emergency response
2 vehicle, including an industrial ambulance, when responding to an
3 emergency, but only if the vehicle is operated in compliance with
4 criteria in effect September 1, 1989, and established by the
5 predecessor of the Texas Industrial Emergency Services Board of the
6 State Firemen's and Fire Marshals' Association of Texas;

7 (I) [~~(G)~~] a vehicle of a blood bank or tissue
8 bank, accredited or approved under the laws of this state or the
9 United States, when making emergency deliveries of blood, drugs,
10 medicines, or organs;

11 (J) [~~(H)~~] a vehicle used for law enforcement
12 purposes that is owned or leased by a federal governmental entity;
13 or

14 (K) [~~(H)~~] a private vehicle of an employee or
15 volunteer of a county emergency management division in a county
16 with a population of more than 46,500 and less than 48,000 that is
17 designated as an authorized emergency vehicle by the commissioners
18 court of that county.

19 SECTION 17.008. Section 681.008(b), Transportation Code,
20 as amended by Chapters 223 (H.B. 120), 309 (H.B. 1514), and 1010
21 (H.B. 2485), Acts of the 83rd Legislature, Regular Session, 2013,
22 is reenacted and amended to read as follows:

23 (b) A vehicle on which license plates described by
24 Subsection (a)(2) or issued under Section 504.202, [~~Section~~]
25 504.310, 504.315, [~~or~~] 504.316, or 504.319 are displayed is exempt
26 from the payment of a parking fee collected through a parking meter
27 charged by a governmental authority other than a branch of the

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1 federal government, when being operated by or for the
2 transportation of:

3 (1) the person who registered the vehicle under
4 Section 504.202(a), [~~Section~~] 504.310, 504.315, [~~or~~] 504.316, or
5 504.319;

6 (2) a person described in Section 504.202(b) if the
7 vehicle is registered under that subsection; or

8 (3) the owner or operator of a vehicle displaying
9 license plates described by Subsection (a)(2).

10 ARTICLE 18. CHANGES RELATING TO WATER CODE

11 SECTION 18.001. Section 13.1871(s), Water Code, as added by
12 Chapter 171 (S.B. 567), Acts of the 83rd Legislature, Regular
13 Session, 2013, is repealed as duplicative of Section 13.1871(s),
14 Water Code, as added by Chapter 170 (H.B. 1600), Acts of the 83rd
15 Legislature, Regular Session, 2013.

16 ARTICLE 19. CHANGES RELATING TO THE DISPOSITION OF CERTAIN CIVIL
17 STATUTES

18 SECTION 19.001. (a) Subtitle D, Title 13, Occupations Code,
19 is amended to codify Chapter 528 (S.B. 155), Acts of the 76th
20 Legislature, Regular Session, 1999 (Article 178d-1, Vernon's Texas
21 Civil Statutes), by adding Chapter 2158 to read as follows:

22 CHAPTER 2158. SPECIAL EVENT PARKING CHARGE LIMITATION

23 Sec. 2158.001. DEFINITIONS. In this chapter:

24 (1) "Institution of higher education" and "private or
25 independent institution of higher education" have the meanings
26 assigned by Section 61.003, Education Code.

27 (2) "Parking facility," "parking facility owner," and

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1 "vehicle" have the meanings assigned by Section 2308.002,
2 Occupations Code.

3 (3) "Special event" includes a sporting event,
4 convention, concert, exhibit, parade, or political rally.

5 Sec. 2158.002. LIMITATION OF PARKING CHARGE IN CONNECTION
6 WITH SPECIAL EVENT. (a) A parking facility owner may not charge
7 for parking a vehicle in the parking facility in connection with a
8 special event an amount that is more than two times the amount
9 computed using the rate that is normally charged for parking a
10 vehicle in the facility on that day of the week and at that time.

11 (b) This section does not apply to an institution of higher
12 education or a private or independent institution of higher
13 education.

14 Sec. 2158.003. CRIMINAL OFFENSE. (a) A person commits an
15 offense if the person violates Section 2158.002(a).

16 (b) An offense under this section is a Class C misdemeanor.

17 (c) It is a defense to prosecution under this section that
18 the parking facility owner posted a conspicuous sign at least two
19 feet wide and two feet high at the entrance to the parking facility
20 stating:

21 (1) in print at least six inches in height, the rate
22 that is normally charged for parking a vehicle in the facility; and

23 (2) in print at least six inches in height, the rate
24 that is charged for parking a vehicle in the facility in connection
25 with a special event.

26 (b) Chapter 528 (S.B. 155), Acts of the 76th Legislature,
27 Regular Session, 1999 (Article 178d-1, Vernon's Texas Civil

1 Statutes), is repealed.

2 SECTION 19.002. Chapter 294 (S.B. 281), Acts of the 69th
3 Legislature, Regular Session, 1985 (Article 326k-90, Vernon's
4 Texas Civil Statutes), is repealed as executed.

5 SECTION 19.003. Chapter 496 (S.B. 102), Acts of the 47th
6 Legislature, Regular Session, 1941 (Article 695d, Vernon's Texas
7 Civil Statutes), is repealed as executed.

8 SECTION 19.004. (a) Title 4, Water Code, is amended to
9 codify Chapter 702 (S.B. 1358), Acts of the 68th Legislature,
10 Regular Session, 1983 (Article 717r, Vernon's Texas Civil
11 Statutes), by adding Chapter 51A to read as follows:

12 CHAPTER 51A. METROPOLITAN WATER CONTROL AND IMPROVEMENT DISTRICTS
13 AND SUBDISTRICTS

14 Sec. 51A.001. DEFINITIONS. In this chapter:

15 (1) "Board" means the board of directors of a
16 district.

17 (2) "Commission" means the Texas Commission on
18 Environmental Quality.

19 (3) "District" means a conservation and reclamation
20 district that:

21 (A) is created by general or special law pursuant
22 to Section 59, Article XVI, Texas Constitution;

23 (B) is governed by Chapter 51 to the extent the
24 provisions of that chapter are not inconsistent with the provisions
25 of any special law creating the district; and

26 (C) contains at least 10,000 acres after all
27 exclusions of land have occurred.

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1 (4) "Refunding bond" means a refunding bond issued by
2 a district.

3 (5) "Residential neighborhood" means an area that, as
4 it develops, will consist of detached single-family residences on
5 not less than 79 percent of the net residential acreage of the area
6 and will consist of condominiums or multifamily rental units with a
7 density greater than 15 units per net residential acre on not more
8 than 10 percent of the net residential acreage of the area.
9 Notwithstanding the foregoing, "residential neighborhood" means an
10 area that, as it develops, will consist of detached single-family
11 residences on not less than 87-1/2 percent of the net residential
12 acreage of the area if the preliminary engineering report adopted
13 by the board before the authorization of bonds stipulates that
14 approximately 87-1/2 percent of the net residential acreage will
15 consist of single-family residences; provided, however, that on the
16 full utilization of all facilities constructed with the proceeds of
17 the bonds authorized, the definition of "residential neighborhood"
18 stated in the first sentence of this subdivision applies. A
19 variance of as much as three percent from the percentages set forth
20 above is permissible during development if the percentages are met
21 on completion of development.

22 (6) "Subdistrict" means a conservation and
23 reclamation district created pursuant to Section 59, Article XVI,
24 Texas Constitution, and this chapter to provide fresh water supply
25 and distribution, sanitary sewage collection and treatment, and
26 storm sewer and drainage facilities and services to residential
27 neighborhoods.

1 (7) "Subdistrict board" means the board of directors
2 of a subdistrict.

3 Sec. 51A.002. REFUNDING BONDS. (a) A district may issue
4 bonds to refund all or part of its outstanding bonds, notes, or
5 other obligations, including matured but unpaid interest. Except
6 as otherwise provided by this section, Section 51.438 applies to
7 refunding bonds issued under this section.

8 (b) Refunding bonds may be payable from:

9 (1) the same source as the bonds, notes, or other
10 obligations being refunded;

11 (2) the source described by Subdivision (1) and
12 additional sources; or

13 (3) sources other than the source described by
14 Subdivision (1).

15 (c) A district must publish notice of intent to issue
16 refunding bonds at least once a week for two consecutive weeks in a
17 newspaper of general circulation within the district and at least
18 15 days before the date of the meeting of the board at which it is
19 proposed to issue the bonds. Before the issuance of the bonds, if a
20 petition signed by not less than 10 percent of the registered voters
21 of the district is filed with the district calling for a referendum
22 on the refunding bond issue, the board shall, at its next meeting,
23 order an election to be held within the district to determine
24 whether the bonds shall be issued. The election shall be held in
25 the manner prescribed by Chapter 1251, Government Code, for the
26 issuance of municipal bonds.

27 Sec. 51A.003. CREATION OF SUBDISTRICTS. (a) The

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1 commission may create subdistricts over designated territory
2 within the boundaries of a district as provided by this section.

3 (b) A petition that contains the substance of the
4 requirements of Sections 51.013 and 51.014 must be filed with the
5 commission.

6 (c) The commission shall have notice of the hearing on the
7 petition given in the manner required by Section 51.018.

8 (d) The hearing must be conducted in the manner provided by
9 Section 51.020, and the commission shall grant or refuse the
10 petition in the manner provided by Section 51.021. An appeal from
11 the decision of the commission must be made in the manner provided
12 by Sections 51.022 through 51.025. The commission shall appoint
13 five directors to serve as the subdistrict board, each of whom must
14 meet the qualifications provided by Section 51.072.

15 (e) Not later than the 60th day after the date on which a
16 petition for the creation of a subdistrict is granted by the
17 commission, the subdistrict board shall adopt an order calling
18 elections within the boundaries of the subdistrict in the manner
19 provided by Subchapter D, Chapter 49, to:

20 (1) confirm the creation of the subdistrict in the
21 manner provided by Section 49.102;

22 (2) authorize the issuance of bonds by the subdistrict
23 or by the district on behalf of the subdistrict to be repaid by ad
24 valorem taxes, revenue, or ad valorem taxes and revenue derived by
25 the subdistrict;

26 (3) authorize a tax within the boundaries of the
27 subdistrict to make payments under a contract with the district to

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1 support refunding bonds of the district in accordance with the
2 exclusions procedure provided by Section 51A.005;

3 (4) authorize a maintenance tax within the boundaries
4 of the subdistrict in the manner provided by Section 49.107; and

5 (5) elect a permanent board of directors for the
6 subdistrict in the manner provided by Subchapter D, Chapter 49, and
7 Section 51.075.

8 (f) A subdistrict:

9 (1) may sue and be sued in its own name;

10 (2) until excluded from the boundaries of the district
11 in accordance with Section 51A.005, has concurrent jurisdiction
12 with the district that is in the territory within the boundaries of
13 the subdistrict; and

14 (3) may exercise the rights and powers of the district
15 within the boundaries of the subdistrict.

16 (g) The ad valorem plan of taxation applies to each
17 subdistrict, and a hearing for exclusions of land from a
18 subdistrict is not necessary before an election under Subsection
19 (e) is held.

20 (h) A subdistrict may be dissolved in the same manner as a
21 district.

22 (i) A subdistrict is governed by Chapter 51 and all other
23 general laws of this state to the extent those laws are not
24 inconsistent with this chapter.

25 Sec. 51A.004. SUBDISTRICT BONDS. (a) Before adopting an
26 order calling elections under Section 51A.003(e), the engineer for
27 a subdistrict shall present a report to the subdistrict board that

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1 conforms to Section 51.410 with regard to the bonds to be issued by
2 the subdistrict or by the district on behalf of the subdistrict.

3 (b) After the engineer's report is filed and approved, the
4 subdistrict board shall order an election within the boundaries of
5 the subdistrict to authorize the issuance of bonds by the
6 subdistrict or by the district on behalf of the subdistrict in
7 accordance with this chapter and Sections 49.106 and 51.411.

8 (c) Bonds authorized at an election within the subdistrict
9 may only be repaid from ad valorem taxes imposed on all taxable
10 property within the boundaries of the subdistrict or income,
11 increment, and revenue derived from the ownership or operation of
12 any part of the assets of the subdistrict or any combination of
13 those sources. The district is not liable for the repayment of
14 those bonds except as provided by this subsection.

15 (d) A subdistrict may issue refunding bonds as provided by
16 Section 51A.002.

17 (e) Bonds issued by a subdistrict or by the district on
18 behalf of the subdistrict are investment securities under Chapter
19 2257, Government Code, are public securities under Chapter 1201,
20 Government Code, and are subject to the general laws of this state
21 relating to bonds of a water control and improvement district to the
22 extent that those general laws are not inconsistent with this
23 chapter.

24 Sec. 51A.005. EXCLUSION OF TERRITORY WITHIN SUBDISTRICT.

25 (a) A subdistrict board shall call an election within the
26 subdistrict to coincide with the confirmation election under
27 Section 51A.003(e) at which a proposition shall be submitted to the

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1 voters to authorize the subdistrict to enter into a contract with
2 the district under which the subdistrict would impose an unlimited
3 ad valorem tax on all taxable property within the subdistrict to
4 repay to the district a portion of the district's total outstanding
5 indebtedness. That portion would be calculated by multiplying the
6 total outstanding indebtedness of the district on the date of the
7 first payment under the proposed contract by a percentage equal to
8 the proportion of the total taxable property within the district
9 borne by the total taxable property within the subdistrict, as of
10 the date of the preceding tax roll.

11 (b) The ballots in the election under Subsection (a) shall
12 be printed to provide for voting for or against the following
13 proposition: "The execution of a contract and the imposition of
14 taxes to pay for the contract." A copy of the proposed contract
15 shall be available at the office of the district for inspection
16 before the election. The election shall otherwise be conducted in
17 conformity with the provisions of Chapter 51 relating to elections
18 to approve a tax-supported contract with the United States.

19 (c) If the proposition is approved at the election under
20 Subsection (a), the board of the district shall, on receipt of a
21 petition that conforms substantially to Section 49.305 and
22 describes the territory within the subdistrict, conduct a hearing
23 not later than the 30th day after the date of receipt of the
24 petition on the exclusion of the subdistrict from the boundaries of
25 the district.

26 (d) If the subdistrict board establishes at the hearing that
27 the subdistrict has been created, has authorized the issuance of

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1 bonds by the subdistrict or by the district on behalf of the
2 subdistrict, has authorized the tax-supported contract payment,
3 and has elected a permanent board of directors, the board of the
4 district shall, at the conclusion of the hearing, enter an order
5 approving the contract supported by a tax within the subdistrict
6 and excluding all land within the subdistrict from the boundaries
7 of the district contingent only on the completion of the refunding
8 bond issue.

9 (e) Refunding bonds may be issued by a district to implement
10 the exclusion of land within a subdistrict under any terms that are
11 considered advisable by the board of the district and are only
12 subject to the interest rate limitations imposed by the
13 constitution and laws of this state. If refunding bonds are not
14 issued by a district on or before the 30th day after the date of the
15 hearing at which the subdistrict establishes all items in
16 Subsection (d), all property within the subdistrict is considered
17 excluded from the boundaries of the district on the expiration of
18 the 30th day after the date of the hearing.

19 (f) Any subdistrict located within a service area as defined
20 by a United States Environmental Protection Agency grant used by a
21 district to expand its wastewater treatment plant shall obtain
22 wastewater treatment services to the extent of capacity provided
23 with the United States Environmental Protection Agency grant
24 proceeds from the wastewater treatment plant constructed with the
25 prior proceeds of the United States Environmental Protection Agency
26 grant in accordance with the terms of a contract approved by the
27 governing bodies of the subdistrict and the district.

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1 (g) To reduce the cost of services to its residents and
2 taxpayers, the subdistrict shall use the employees, consultants,
3 staff, and services of the district and reimburse the district for
4 all costs of furnishing those services. The services may be
5 terminated for good cause. The subdistrict and the district shall
6 submit to arbitration any dispute between the subdistrict and the
7 district.

8 Sec. 51A.006. WATER AND SEWER RATES. A district shall
9 establish rates for all services to subdistricts after the
10 exclusion of the subdistricts from the boundaries of the district.
11 The rates may not exceed 150 percent of the rates for similar
12 services for residents of the district.

13 Sec. 51A.007. ELECTION DATES. An election authorized by
14 this chapter may be held on any day of the year other than a general
15 election date and is not limited to the uniform election dates
16 established by Section 41.001(a), Election Code.

17 Sec. 51A.008. PUBLIC PURPOSE. This chapter facilitates and
18 advances the conservation and reclamation of the natural resources
19 of this state by permitting certain water control and improvement
20 districts to extend fresh water supply and distribution facilities,
21 storm water and flood control facilities, and sanitary sewage
22 collection and treatment facilities into areas that have previously
23 not received such facilities. The reclamation of land for
24 development and use as residential neighborhoods will be
25 implemented and the health, welfare, and safety of residents of
26 those neighborhoods will be additionally protected.

27 Sec. 51A.009. CONSTRUCTION. The powers granted by this

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1 chapter to districts shall be broadly interpreted and liberally
2 construed to effect the legislative intent and the purposes of this
3 chapter and not as a limitation of powers.

4 (b) Chapter 702 (S.B. 1358), Acts of the 68th Legislature,
5 Regular Session, 1983 (Article 717r, Vernon's Texas Civil
6 Statutes), is repealed.

7 SECTION 19.005. (a) Chapter 49, Water Code, is amended to
8 codify Chapter 707 (H.B. 993), Acts of the 69th Legislature,
9 Regular Session, 1985 (Article 973c, Vernon's Texas Civil
10 Statutes), by adding Subchapter J-1 to read as follows:

11 SUBCHAPTER J-1. EXCLUSION OF URBAN PROPERTY FROM CERTAIN WATER
12 DISTRICTS

13 Sec. 49.3181. DEFINITIONS. As used in this subchapter:

14 (1) "District" means any district or authority created
15 under Sections 52(b)(1) and (2), Article III, or Section 59,
16 Article XVI, Texas Constitution, the principal purpose of which is,
17 or that is principally engaged in, supplying water for the
18 irrigation of agricultural lands.

19 (2) "Urban property" means land that:

20 (A) has been subdivided into town lots, town lots
21 and blocks, or small parcels of the same general nature as town lots
22 or town lots and blocks and is designed, intended, or suitable for
23 residential or other nonagricultural purposes, as distinguished
24 from farm acreage, and includes streets, alleys, parkways, parks,
25 and railroad property and rights-of-way within that subdivided
26 land; and

27 (B) is in a subdivision:

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1 (i) that is within the corporate limits or
2 extraterritorial jurisdiction of a municipality that has
3 subdivision approval jurisdiction under Chapter 212, Local
4 Government Code; and

5 (ii) for which a plat or map has been filed
6 and recorded in the office of the county clerk of the county in
7 which the subdivision or any part of the subdivision is located.

8 Sec. 49.3182. CONDITIONS FOR EXCLUSION OF URBAN PROPERTY.

9 Urban property that is located in a district may be excluded from
10 the district as provided by this subchapter only after the
11 following have been paid to the district:

12 (1) all taxes, assessments, and other charges of the
13 district accrued on the property to be excluded, together with all
14 interest and penalties accrued on those taxes, assessments, and
15 charges;

16 (2) the proportionate part of the outstanding bonded
17 indebtedness or indebtedness in connection with a loan from an
18 agency of the United States for which the property proposed to be
19 excluded is liable, as determined under this subchapter; and

20 (3) agreement on a reasonable determined amount to be
21 paid by the municipality or other supplier of potable water to
22 compensate the district for loss of revenue occasioned by the
23 exclusion.

24 Sec. 49.3183. APPLICATION FOR EXCLUSION. (a) The owner or
25 owners of urban property in a district and subject to taxation by
26 the district, and on which all amounts due the district under
27 Section 49.3182(1) have been paid, may file a written and sworn

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1 application with the district to exclude that property from the
2 district.

3 (b) The application must:

4 (1) include a sworn acknowledgment by the owner or
5 owners of the property;

6 (2) describe the property to be excluded by
7 identifying the lot or block number of the subdivision and the name
8 or designation of the subdivision as shown on the recorded plat of
9 the subdivision, or by some other method of identification; and

10 (3) state that the property is used or intended to be
11 used for the purposes for which it was subdivided and is not used or
12 intended to be used, wholly or partly, for agricultural purposes.

13 (c) A copy of the recorded map or plat of the subdivision
14 must accompany the application and must clearly delineate the part
15 of the subdivision, if less than the whole, to be excluded from the
16 district.

17 (d) The applicant must also provide the district with
18 evidence satisfactory to, or required by, the board of the
19 applicant's:

20 (1) ownership of the property proposed to be excluded;
21 and

22 (2) right to have the property excluded from the
23 district.

24 Sec. 49.3184. CONSIDERATION OF APPLICATION. (a) As soon
25 as practicable after an application is filed, the board shall
26 consider the application and inquire into all the facts relating to
27 the application that the board considers necessary for determining

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1 whether a public hearing on the application should be held.

2 (b) After consideration and investigation, the board shall
3 adopt an order approving further consideration of the application
4 if the board finds that:

5 (1) all amounts due the district under Section
6 49.3182(1) up to the date of the filing of the application have been
7 paid;

8 (2) the property described in the application:

9 (A) is owned by the applicant;

10 (B) is urban property and is not used or intended
11 to be used for agricultural purposes; and

12 (C) will require a source of treated potable
13 water from the municipality in which the subdivision is located;
14 and

15 (3) the exclusion of the property will not cut off the
16 district or its facilities from ready and convenient access to
17 other land remaining in the district for irrigation or other
18 district purposes.

19 (c) If the board is unable to make any one of the findings
20 under Subsection (b), it shall adopt a resolution rejecting the
21 application.

22 (d) A resolution of the board rejecting an application is
23 final and not subject to review by any other body, tribunal, or
24 authority.

25 Sec. 49.3185. DETERMINATION OF PROPORTIONATE AMOUNT OF
26 INDEBTEDNESS. (a) If the board approves further consideration of
27 an application, the board shall determine the proportionate amount

1 of the bonded or contractual indebtedness for which the property to
2 be excluded is liable as provided by this section.

3 (b) If the district has outstanding bonded indebtedness,
4 the board shall obtain from the chief appraiser a certified copy of
5 the appraised value of all the property to be excluded for the five
6 years preceding the year in which the application is filed, as shown
7 by the tax rolls of the district, and the appraised value of all
8 taxable property in the district according to the most recent tax
9 rolls of the district. The part of the district's total outstanding
10 bonded indebtedness to be paid by the applicant as a condition
11 precedent to the exclusion of the property is that proportion of the
12 indebtedness, including unpaid interest computed to the date of the
13 order, that the appraised value of the property to be excluded bears
14 to the appraised value of all taxable property in the district
15 according to the most recent tax rolls.

16 (c) If the district has contractual or other indebtedness
17 being repaid on the benefit tax basis, the board shall obtain from
18 the appropriate records the manner in which the tax is assessed, and
19 from those records the district shall calculate the part of the
20 total outstanding indebtedness of the district remaining to be paid
21 that is attributable to the property to be excluded.

22 (d) The order of the board approving further consideration
23 of the application must also state the amounts required to be paid
24 under Section 49.3182 as a condition of the exclusion of the
25 property.

26 Sec. 49.3186. DEADLINE FOR PAYMENT OF AMOUNTS DUE. The
27 order of the board approving further consideration of the

1 application has no force or effect and no further proceeding may be
2 held on the application unless the applicant deposits with the
3 district the amounts due under Section 49.3182 not later than:

4 (1) the 20th day after the date on which the order was
5 adopted; or

6 (2) the expiration of a period not to exceed 30 days
7 after the date on which the order was adopted as ordered by the
8 board.

9 Sec. 49.3187. NOTICE AND HEARING. (a) If the deposit is
10 made within the time provided by Section 49.3186, the board shall
11 order a public hearing to be held on the application at the regular
12 office of the district not less than 15 or more than 30 days after
13 the date of the hearing order.

14 (b) The board shall have notice of the hearing posted in a
15 conspicuous place in the office of the district and at the
16 courthouse of the county in which the property proposed to be
17 excluded is situated.

18 Sec. 49.3188. RESOLUTION EXCLUDING URBAN PROPERTY OR
19 REJECTING APPLICATION; EFFECTS OF EXCLUSION. (a) If, as a result
20 of a hearing ordered under Section 49.3187, the board finds that the
21 owners of a majority in acreage of the urban property do not desire
22 irrigation of that property or that the urban property is not used
23 or intended to be used for agricultural purposes, the board shall
24 adopt a resolution setting forth those findings and excluding the
25 urban property or the part of the urban property as to which the
26 findings are made.

27 (b) If any canals, ditches, pipelines, pumps, or other

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1 facilities of the district are located on land excluded under the
2 resolution, the exclusion does not affect or interfere with any
3 district rights to maintain and continue operation of the
4 facilities as located to service land remaining in the district.

5 (c) A copy of the resolution excluding urban property from
6 the district certified to and acknowledged by the secretary of the
7 board must be recorded by the district in the deed records of the
8 county in which the excluded property is located as evidence of the
9 exclusion.

10 (d) On the passage of the resolution:

11 (1) the property excluded does not constitute a part
12 of the district; and

13 (2) the owner of the excluded property:

14 (A) has no further liability to the district or
15 for any bonded or other indebtedness of the district; and

16 (B) is not subject to further taxation by the
17 district.

18 (e) If the board determines from the hearing that for any
19 reason the application should not be granted, the board shall adopt
20 a resolution rejecting the application, and the deposit made by the
21 applicant is subject to withdrawal by the applicant or on the
22 board's order.

23 Sec. 49.3189. CONVERSION OF WATER RIGHTS. After a district
24 excludes land from the district's territory under this subchapter,
25 the municipality or other municipal supplier that proposes to serve
26 the land with a potable water supply may petition the district to
27 convert the proportionate water rights previously allocated for the

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1 land from irrigation use rights to municipal use rights for the use
2 and benefit of the municipality or other municipal supplier. The
3 district shall compute the proportionate water rights available and
4 shall initiate administrative proceedings to convert the
5 irrigation use rights to municipal use rights. Before the district
6 is obligated to initiate the administrative proceedings, the
7 municipality or other municipal supplier must deposit with the
8 district the amount that the district estimates the district will
9 incur as reasonable expenses and attorney's fees in those
10 proceedings. On approval of the conversion by the commission, the
11 district shall deliver the water to the municipality or other
12 municipal supplier in the manner those entities may agree to under
13 this code.

14 (b) Chapter 707 (H.B. 993), Acts of the 69th Legislature,
15 Regular Session, 1985 (Article 973c, Vernon's Texas Civil
16 Statutes), is repealed.

17 SECTION 19.006. Article 974d-45, Revised Statutes, is
18 repealed as executed.

19 SECTION 19.007. (a) Chapter 199, Transportation Code, is
20 amended to codify Chapter 181 (H.B. 871), Acts of the 69th
21 Legislature, Regular Session, 1985 (Article 1182k, Vernon's Texas
22 Civil Statutes), by adding Section 199.002 to read as follows:

23 Sec. 199.002. RAILROAD FUNCTIONS AS PUBLIC AND GOVERNMENTAL
24 FUNCTIONS. (a) In this section:

25 (1) "Railroad" means an enterprise created and
26 operated to carry passengers, freight, or both on a fixed track.
27 The term includes all real estate and interests in real estate,

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1 equipment, machinery, materials, structures, buildings, stations,
2 facilities, and other improvements that are necessary to, or for
3 the benefit of, the enterprise.

4 (2) "Municipality" means a home-rule municipality.

5 (b) The planning, acquisition, establishment, development,
6 construction, enlarging, improvement, maintenance, equipping,
7 operation, regulation, protection, policing, leasing, and
8 alienation of a railroad or railroad facility by a municipality or
9 other public agency, separately or jointly exercised:

10 (1) are declared to be public and governmental
11 functions that are exercised for a public purpose and matters of
12 public necessity; and

13 (2) in the case of a municipality, are declared to be
14 municipal functions and purposes as well as public and
15 governmental.

16 (c) All land and other property and privileges acquired and
17 used by or on behalf of a municipality or other public agency for
18 railroad purposes:

19 (1) are declared to be acquired for public and
20 governmental purposes and as a matter of public necessity; and

21 (2) in the case of a municipality, are declared to be
22 acquired for a municipal purpose.

23 (d) This section does not confer or convey governmental
24 immunity or any other limitation of liability to any entity that is
25 not a governmental entity, governmental authority, or public
26 agency, or a subdivision of a governmental entity, governmental
27 authority, or public agency.

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1 (b) Chapter 181 (H.B. 871), Acts of the 69th Legislature,
2 Regular Session, 1985 (Article 1182k, Vernon's Texas Civil
3 Statutes), is repealed.

4 SECTION 19.008. Chapter 4 (S.B. 455), page 689, General
5 Laws, Acts of the 46th Legislature, Regular Session, 1939 (Article
6 2603c1, Vernon's Texas Civil Statutes), is repealed as executed.

7 SECTION 19.009. Chapter 404 (H.B. 768), Acts of the 47th
8 Legislature, Regular Session, 1941 (Article 2603c2, Vernon's Texas
9 Civil Statutes), is repealed as executed.

10 SECTION 19.010. Section 2, Chapter 3 (S.B. 2), Acts of the
11 62nd Legislature, Regular Session, 1971 (Article 2619b, Vernon's
12 Texas Civil Statutes), is repealed as no longer necessary because
13 Pan American University was transferred to The University of Texas
14 System and renamed by Chapter 181 (S.B. 47), Acts of the 71st
15 Legislature, Regular Session, 1989.

16 SECTION 19.011. Chapter 357 (S.B. 319), Acts of the 64th
17 Legislature, Regular Session, 1975 (Article 4413(32e), Vernon's
18 Texas Civil Statutes), is repealed as executed.

19 SECTION 19.012. Chapter 672 (H.B. 1880), Acts of the 65th
20 Legislature, Regular Session, 1977 (Article 4413(42a), Vernon's
21 Texas Civil Statutes), is repealed as executed.

22 SECTION 19.013. Article 2, Chapter 4 (S.B. 3), Acts of the
23 72nd Legislature, 1st Called Session, 1991 (Article 4413(56a),
24 Vernon's Texas Civil Statutes), is repealed as executed.

25 SECTION 19.014. Chapter 685 (H.B. 235), Acts of the 60th
26 Legislature, Regular Session, 1967 (Article 4413d-3, Vernon's
27 Texas Civil Statutes), is repealed because a portion was revised in

1 1975 as Section 12.010, Parks and Wildlife Code, and the remainder
2 is obsolete.

3 SECTION 19.015. (a) Subchapter B, Chapter 531, Government
4 Code, is amended to codify Section 26, Chapter 1027 (H.B. 18), Acts
5 of the 71st Legislature, Regular Session, 1989 (Article 4438g,
6 Vernon's Texas Civil Statutes), by adding Section 531.02193 to read
7 as follows:

8 Sec. 531.02193. CERTAIN CONDITIONS ON MEDICAID
9 REIMBURSEMENT OF RURAL HEALTH CLINICS PROHIBITED. The commission
10 may not impose any condition on the reimbursement of a rural health
11 clinic under the Medicaid program if the condition is more
12 stringent than the conditions imposed by the Rural Health Clinic
13 Services Act of 1977 (Pub. L. No. 95-210) or the laws of this state
14 regulating the practice of medicine, pharmacy, or professional
15 nursing.

16 (b) Section 26, Chapter 1027 (H.B. 18), Acts of the 71st
17 Legislature, Regular Session, 1989 (Article 4438g, Vernon's Texas
18 Civil Statutes), is repealed.

19 SECTION 19.016. Article 5311b, Revised Statutes, is
20 repealed as executed.

21 SECTION 19.017. Chapter 128 (S.B. 108), Acts of the 53rd
22 Legislature, Regular Session, 1953 (Article 5382b-1, Vernon's
23 Texas Civil Statutes), is repealed as executed.

24 SECTION 19.018. Chapter 399 (S.B. 238), Acts of the 57th
25 Legislature, Regular Session, 1961 (Article 5421c-9, Vernon's
26 Texas Civil Statutes), is repealed as executed.

27 SECTION 19.019. The following provisions are repealed as

will
add

1 executed:

2 (1) Chapter 37 (H.B. 12), Acts of the 43rd
3 Legislature, 3rd Called Session, 1934 (Article 5421f, Vernon's
4 Texas Civil Statutes); and

5 (2) Section 1, Chapter 191 (H.B. 56), Acts of the 47th
6 Legislature, Regular Session, 1941 (Article 5421f-1, Vernon's
7 Texas Civil Statutes).

8 SECTION 19.020. Chapter 280 (S.B. 374), Acts of the 54th
9 Legislature, Regular Session, 1955 (Article 5421o, Vernon's Texas
10 Civil Statutes), is repealed as executed.

11 SECTION 19.021. (a) Sections 11(b), (c), and (d), Chapter
12 141, Acts of the 66th Legislature, Regular Session, 1979 (Article
13 5920-11, Vernon's Texas Civil Statutes), are repealed as executed.

14 (b) The headings to Sections 6, 11, and 21, Chapter 141,
15 Acts of the 66th Legislature, Regular Session, 1979 (Article
16 5920-11, Vernon's Texas Civil Statutes), are repealed as
17 unnecessary.

18 SECTION 19.022. Chapter 292 (H.B. 685), Acts of the 54th
19 Legislature, Regular Session, 1955 (Article 6070f, Vernon's Texas
20 Civil Statutes), is repealed as executed.

21 SECTION 19.023. Chapter 466 (H.B. 1910), Acts of the 71st
22 Legislature, Regular Session, 1989 (Article 6701j-2, Vernon's
23 Texas Civil Statutes), is repealed because it was revised in 2003 as
24 Section 1001.106, Education Code.

25 SECTION 19.024. (a) Subchapter Z, Chapter 2175,
26 Government Code, is amended to codify Article 9023d, Revised
27 Statutes, by adding Section 2175.907 to read as follows:

1 Sec. 2175.907. DISPOSAL OF COMPUTER EQUIPMENT BY CHARITABLE
2 ORGANIZATION. (a) In this section:

3 (1) "Computer equipment" includes computers,
4 telecommunications devices and systems, automated information
5 systems, and peripheral devices and hardware that are necessary to
6 the efficient installation and operation of that equipment, but
7 does not include computer software.

8 (2) "Charitable organization" has the meaning
9 assigned by Section 84.003, Civil Practice and Remedies Code.

10 (b) Except as provided by Subsections (c) and (d), a
11 charitable organization that expends funds received from the state,
12 whether by appropriation, grant, or otherwise, to purchase computer
13 equipment may not dispose of or discard the equipment before the
14 fourth anniversary of the date the organization purchased the
15 equipment.

16 (c) This section does not prohibit:

- 17 (1) the sale or trade of computer equipment; or
- 18 (2) the disposal of equipment that is not operational.

19 (d) A charitable organization may dispose of computer
20 equipment purchased with state funds within the four-year period
21 after the date of purchase by donating the equipment to another
22 charitable organization.

23 (e) This section applies only to computer equipment that a
24 charitable organization purchases for at least \$500.

25 (f) The comptroller shall adopt rules to implement this
26 section.

27 (b) Article 9023d, Revised Statutes, is repealed.

ARTICLE 20. CHANGES RELATING TO THE ESTATES CODE AND
CODIFICATION OF THE TEXAS PROBATE CODE

SECTION 20.001. Section 15.007, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 15.007. CONFLICT WITH CERTAIN PROVISIONS.
Notwithstanding Sections 15.004, 15.005, and 15.031, to the extent that venue under this chapter for a suit by or against an executor, administrator, or guardian as such, for personal injury, death, or property damage conflicts with venue provisions under the Estates [~~Texas Probate~~] Code, this chapter controls.

SECTION 20.002. Section 21.001(b), Estates Code, is amended to read as follows:

(b) Consistent with the objectives of the statutory revision program, the purpose of this code [~~, except Subtitle X, Title 2, and Subtitles Y and Z, Title 3,~~] is to make the law encompassed by this code [~~, except Subtitle X, Title 2, and Subtitles Y and Z, Title 3,~~] more accessible and understandable by:

- (1) rearranging the statutes into a more logical order;
- (2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;
- (3) eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and
- (4) restating the law in modern American English to the greatest extent possible.

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1 SECTION 20.003. Section 21.002, Estates Code, is amended to
2 read as follows:

3 Sec. 21.002. CONSTRUCTION. [~~(a)~~] Except as provided by
4 [~~this section,~~] Section 22.027[~~,~~] or [~~Section~~] 1002.023, Chapter
5 311, Government Code (Code Construction Act), applies to the
6 construction of a provision of this code.

7 [~~(b) Chapter 311, Government Code (Code Construction Act),~~
8 ~~does not apply to the construction of a provision of Subtitle X,~~
9 ~~Title 2, or Subtitle Y or Z, Title 3.~~]

10 SECTION 20.004. Section 21.003, Estates Code, is amended to
11 read as follows:

12 Sec. 21.003. STATUTORY REFERENCES. [~~(a)~~] A reference in a
13 law other than in this code to a statute or a part of a statute
14 revised by[~~, or redesignated as part of,~~] this code is considered to
15 be a reference to the part of this code that revises that statute or
16 part of that statute [~~or contains the redesignated statute or part~~
17 ~~of the statute, as applicable].~~

18 [~~(b) A reference in Subtitle X, Title 2, or Subtitle Y or Z,~~
19 ~~Title 3, to a chapter, a part, a subpart, a section, or any portion~~
20 ~~of a section "of this code" is a reference to the chapter, part,~~
21 ~~subpart, section, or portion of a section as redesignated in the~~
22 ~~Estates Code, except that:~~

23 [~~(1) a reference in Subtitle X, Title 2, or Subtitle Y~~
24 ~~or Z, Title 3, to Chapter I is a reference to Chapter I, Estates~~
25 ~~Code, and to the revision of sections derived from Chapter I, Texas~~
26 ~~Probate Code, and any reenactments and amendments to those~~
27 ~~sections, and~~

1 ~~[(2) a reference in Subtitle X, Title 2, or Subtitle Y~~
2 ~~or Z, Title 3, to a chapter, part, subpart, section, or portion of a~~
3 ~~section that does not exist in the Estates Code is a reference to~~
4 ~~the revision or redesignation of the corresponding chapter, part,~~
5 ~~subpart, section, or portion of a section of the Texas Probate Code~~
6 ~~and any reenactments or amendments.]~~

7 SECTION 20.005. Section 21.005, Estates Code, is amended to
8 read as follows:

9 Sec. 21.005. APPLICABILITY OF CERTAIN LAWS.
10 ~~[(a) Notwithstanding Section 21.002(b) of this code and Section~~
11 ~~311.002, Government Code:~~

12 ~~[(1) Section 311.032(c), Government Code, applies to~~
13 ~~Subtitle X, Title 2, and Subtitles Y and Z, Title 3, and~~

14 ~~[(2) Sections 311.005(4) and 311.012(b) and (c),~~
15 ~~Government Code, apply to Subtitle X, Title 2, and Subtitles Y and~~
16 ~~Z, Title 3.~~

17 ~~[(b)]~~ Chapter 132, Civil Practice and Remedies Code, does
18 not apply to Subchapter C, Chapter 251.

19 SECTION 20.006. Section 34.001(b), Estates Code, is amended
20 to read as follows:

21 (b) Notwithstanding any other provision of this subtitle,
22 Title 1, ~~[Subtitle X, Title 2,]~~ Chapter 51, 52, 53, 54, 55, or 151,
23 or Section 351.001, 351.002, 351.053, 351.352, 351.353, 351.354, or
24 351.355, the proper venue for an action by or against a personal
25 representative for personal injury, death, or property damages is
26 determined under Section 15.007, Civil Practice and Remedies Code.

27 SECTION 20.007. Section 1021.001(a), Estates Code, is

will
and

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1 amended to read as follows:

2 (a) For purposes of this code, in a county in which there is
3 no statutory probate court, a matter related to a guardianship
4 proceeding includes:

5 (1) the granting of letters of guardianship;

6 (2) the settling of an account of a guardian and all
7 other matters relating to the settlement, partition, or
8 distribution of a ward's estate;

9 (3) a claim brought by or against a guardianship
10 estate;

11 (4) an action for trial of title to real property that
12 is guardianship estate property, including the enforcement of a
13 lien against the property;

14 (5) an action for trial of the right of property that
15 is guardianship estate property;

16 (6) after a guardianship of the estate of a ward is
17 required to be settled as provided by Section 1204.001:

18 (A) an action brought by or on behalf of the
19 former ward against a former guardian of the ward for alleged
20 misconduct arising from the performance of the person's duties as
21 guardian;

22 (B) an action calling on the surety of a guardian
23 or former guardian to perform in place of the guardian or former
24 guardian, which may include the award of a judgment against the
25 guardian or former guardian in favor of the surety;

26 (C) an action against a former guardian of the
27 former ward that is brought by a surety that is called on to perform

1 in place of the former guardian;

2 (D) a claim for the payment of compensation,
3 expenses, and court costs, and any other matter authorized under
4 Chapter 1155 [~~and Subpart H, Part 2, Subtitle Z~~]; and

5 (E) a matter related to an authorization made or
6 duty performed by a guardian under Chapter 1204; and

7 (7) the appointment of a trustee for a trust created
8 under Section 1301.053 or 1301.054, the settling of an account of
9 the trustee, and all other matters relating to the trust.

10 SECTION 20.008. Sections 34.306(a), (b), and (c), Finance
11 Code, are amended to read as follows:

12 (a) Subject to Subchapter B, Chapter 111, and Chapters 112
13 and 113, Estates [~~Chapter XI, Probate~~] Code, a bank may accept and
14 administer a deposit account:

15 (1) that is opened with the bank by one or more persons
16 expressly as a trustee for one or more other named persons; and

17 (2) for which further notice of the existence and
18 terms of a trust is not given in writing to the bank.

19 (b) For a deposit account that is opened with a bank by one
20 or more persons expressly as a trustee for one or more other named
21 persons under or purporting to be under a written trust agreement,
22 the trustee may provide the bank with a certificate of trust to
23 evidence the trust relationship. The certificate must be an
24 affidavit of the trustee and must include the effective date of the
25 trust, the name of the trustee, the name of or method for choosing
26 successor trustees, the name and address of each beneficiary, the
27 authority granted to the trustee, the disposition of the account on

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1 the death of the trustee or the survivor of two or more trustees,
2 other information required by the bank, and an indemnification of
3 the bank. The bank may accept and administer the account, subject
4 to Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
5 ~~[Chapter XI, Probate]~~ Code, in accordance with the certificate of
6 trust without requiring a copy of the trust agreement. The bank is
7 not liable for administering the account as provided by the
8 certificate of trust, even if the certificate of trust is contrary
9 to the terms of the trust agreement, unless the bank has actual
10 knowledge of the terms of the trust agreement.

11 (c) On the death of the trustee or of the survivor of two or
12 more trustees, the bank may pay all or part of the withdrawal value
13 of the account with interest as provided by the certificate of
14 trust. If the trustee did not deliver a certificate of trust, the
15 bank's right to treat the account as owned by a trustee ceases on
16 the death of the trustee. On the death of the trustee or of the
17 survivor of two or more trustees, the bank, unless the certificate
18 of trust provides otherwise, shall pay the withdrawal value of the
19 account with interest in equal shares to the persons who survived
20 the trustee, are named as beneficiaries in the certificate of
21 trust, and can be located by the bank from its own records. If there
22 is not a certificate of trust, payment of the withdrawal value and
23 interest shall be made as provided by Subchapter B, Chapter 111, and
24 Chapters 112 and 113, Estates ~~[Chapter XI, Probate]~~ Code. Any
25 payment made under this section for all or part of the withdrawal
26 value and interest discharges any liability of the bank to the
27 extent of the payment. The bank may pay all or part of the

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1 withdrawal value and interest in the manner provided by this
2 section, regardless of whether it has knowledge of a competing
3 claim, unless the bank receives actual knowledge that payment has
4 been restrained by court order.

5 SECTION 20.009. Section 34.307(c), Finance Code, is amended
6 to read as follows:

7 (c) A bank may not exercise its right of set-off under this
8 section against an account unless the account is due the depositor
9 in the same capacity as the defaulted credit obligation. A trust
10 account for which a depositor is trustee, including a trustee under
11 a certificate of trust delivered under Section 34.306(b), is not
12 subject to the right of set-off under this section unless the trust
13 relationship is solely evidenced by the account card as provided by
14 Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
15 ~~[Chapter XI, Probate]~~ Code.

16 SECTION 20.010. Section 59.105, Finance Code, is amended to
17 read as follows:

18 Sec. 59.105. EFFECT OF SUBCHAPTER ON OTHER LAW. This
19 subchapter does not affect Chapter 151, Estates ~~[Sections 36B-36F,~~
20 ~~Texas Probate]~~ Code, or another statute of this state governing
21 safe deposit boxes.

22 SECTION 20.011. Section 95.011, Finance Code, is amended to
23 read as follows:

24 Sec. 95.011. APPLICABILITY OF ESTATES ~~[PROBATE]~~ CODE. The
25 applicable provisions of Subchapter B, Chapter 111, and Chapters
26 112 and 113, Estates ~~[Chapter XI, Texas Probate]~~ Code, govern
27 deposit accounts held in a savings bank.

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1 SECTION 20.012. Section 123.207, Finance Code, is amended
2 to read as follows:

3 Sec. 123.207. FIDUCIARY POWERS. A credit union may:

4 (1) act, under court order or appointment, as
5 guardian, receiver, trustee, executor, or administrator without
6 giving bond;

7 (2) receive an investment from a person acting as a
8 guardian, receiver, trustee, executor, or administrator under the
9 Estates [~~Texas Probate~~] Code or Subtitle B, Title 9, Property Code;

10 (3) act as depository for money paid to a court or
11 constituting the estate of a deceased person, a minor, or an
12 incompetent;

13 (4) accept, execute, and administer a trust as
14 trustee;

15 (5) accept funds or money for deposit by a fiduciary,
16 trustee, receiver, guardian, executor, or administrator; or

17 (6) act as custodian or trustee of a pension or
18 profit-sharing plan, including an individual retirement account or
19 a pension fund of a self-employed individual or of the sponsor of a
20 credit union.

21 SECTION 20.013. Section 125.001, Finance Code, is amended
22 to read as follows:

23 Sec. 125.001. DEFINITION. In this chapter, "multiple-party
24 account" has the meaning assigned by Section 113.004, Estates [~~436,~~
25 ~~Texas Probate~~] Code, except that the term includes an account in
26 which one or more of the parties is an organization, association,
27 corporation, or partnership.

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1 SECTION 20.014. Section 125.308(a), Finance Code, is
2 amended to read as follows:

3 (a) The death of a trustee does not affect the ownership or
4 disposition of a trust account unless:

5 (1) the trust agreement provides otherwise; or

6 (2) there is not a surviving trustee, and:

7 (A) the account is a trust account subject to
8 Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
9 [Chapter XI, Texas Probate] Code; or

10 (B) written evidence of the terms of the trust
11 does not exist.

12 SECTION 20.015. Section 125.504(a), Finance Code, is
13 amended to read as follows:

14 (a) Except as otherwise provided by this section, Sections
15 125.505 through 125.507, Chapter 151, Estates [~~Sections 36B through~~
16 ~~36F, Texas Probate]~~ Code, or other law, a credit union may not
17 relocate a safe deposit box rented for a term of six months or
18 longer if the box rental is not delinquent or may not open the box to
19 relocate its contents to another location, unless:

20 (1) the lessee is present when the box is opened or
21 relocated; or

22 (2) the lessee has given the credit union written
23 authorization to relocate the box or to open the box for purposes of
24 relocation.

25 SECTION 20.016. Section 182.020(b), Finance Code, is
26 amended to read as follows:

27 (b) A foreign corporation or other entity chartered or

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1 domiciled in another jurisdiction as a trust company or depository
2 institution with trust powers may act as a trustee in this state
3 only as provided by Subchapter A, Chapter 505, Estates [~~Section~~
4 ~~105A, Texas Probate~~] Code.

5 SECTION 20.017. Section 187.002(b), Finance Code, is
6 amended to read as follows:

7 (b) Notwithstanding Subsection (a), a trust institution
8 that does not maintain a principal office, branch, or trust office
9 in this state may act as a fiduciary in this state to the extent
10 permitted by Subchapter A, Chapter 505, Estates [~~Section 105A,~~
11 ~~Probate~~] Code.

12 SECTION 20.018. Section 187.201(a), Finance Code, is
13 amended to read as follows:

14 (a) An out-of-state trust institution may establish a
15 representative trust office as permitted by this subchapter to:

16 (1) solicit, but not accept, fiduciary appointments;

17 (2) act as a fiduciary in this state to the extent
18 permitted for a foreign corporate fiduciary by Subchapter A,
19 Chapter 505, Estates [~~Section 105A, Probate~~] Code;

20 (3) perform ministerial duties with respect to
21 existing clients and accounts of the trust institution;

22 (4) engage in an activity permitted by Section
23 182.021; and

24 (5) to the extent the office is not acting as a
25 fiduciary:

26 (A) receive for safekeeping personal property of
27 every description;

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1 (B) act as assignee, bailee, conservator,
2 custodian, escrow agent, registrar, receiver, or transfer agent;
3 and

4 (C) act as financial advisor, investment advisor
5 or manager, agent, or attorney-in-fact in any agreed capacity.

6 SECTION 20.019. Section 274.113(a), Finance Code, is
7 amended to read as follows:

8 (a) An action under this subchapter for a fiduciary account
9 resulting from a decedent's estate or guardianship must be brought
10 in the county provided for by the Estates [~~Texas Probate~~] Code with
11 respect to the probate of a will, issuance of letters testamentary
12 or of administration, administration of a decedent's estate,
13 appointment of a guardian, and administration of a guardianship.

14 SECTION 20.020. Section 74.098(b), Government Code, is
15 amended to read as follows:

16 (b) The court may appoint an attorney included on the list
17 whose name does not appear first on the list or an attorney not
18 included on the list if the appointment of that attorney as attorney
19 ad litem is:

20 (1) required on a complex matter because the attorney
21 possesses relevant specialized education, training, certification,
22 or skill;

23 (2) made pursuant to the Family Code, Health and
24 Safety Code, Human Resources Code, Texas Trust Code (Subtitle B,
25 Title 9, Property Code), or Estates [~~Texas Probate~~] Code; or

26 (3) agreed on by the parties and approved by the court.

27 SECTION 20.021. Section 118.056, Local Government Code, as

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1 amended by Chapter 66 (H.B. 1136), Acts of the 76th Legislature,
2 Regular Session, 1999, is amended by amending Subsection (d), as
3 added by Chapter 399 (H.B. 819), Acts of the 80th Legislature,
4 Regular Session, 2007, to read as follows:

5 (d) The fee for filing an inventory and appraisalment under
6 Section 118.052(2)(B)(i) applies only if the instrument is filed
7 after the 90th day after the date the personal representative has
8 qualified to serve or, if the court grants an extension under
9 Section 309.051, Estates [~~250, Texas Probate~~] Code, after the date
10 of the extended deadline specified by the court.

11 SECTION 20.022. Section 118.067(a), Local Government Code,
12 is amended to read as follows:

13 (a) The "supplemental court-initiated guardianship fee"
14 under Section 118.052(2)(E) is for the support of the judiciary in
15 guardianships initiated under Chapter 1102, Estates [~~Section 683,~~
16 ~~Texas Probate~~] Code. Fees collected under Section 118.052(2)(E)
17 shall be deposited in a court-initiated guardianship fund in the
18 county treasury and may be used only to supplement, rather than
19 supplant, other available county funds used to:

20 (1) pay the compensation of a guardian ad litem
21 appointed by a court under Section 1102.001, Estates [~~683, Texas~~
22 ~~Probate~~] Code;

23 (2) pay the compensation of an attorney ad litem
24 appointed by a court to represent a proposed ward in a guardianship
25 proceeding initiated under Chapter 1102, Estates [~~Section 683,~~
26 ~~Texas Probate~~] Code; and

27 (3) fund local guardianship programs that provide

1 guardians for indigent incapacitated persons who do not have family
2 members suitable and willing to serve as guardians.

3 SECTION 20.023. The following are repealed:

- 4 (1) Section 21.001(c), Estates Code;
- 5 (2) the heading to Subchapter E, Chapter 255, Estates
6 Code;
- 7 (3) Subtitle X, Title 2, Estates Code; and
- 8 (4) Subtitles Y and Z, Title 3, Estates Code.

9 ARTICLE 21. REDESIGNATIONS

10 SECTION 21.001. The following provisions of enacted codes
11 are redesignated to eliminate duplicate citations or to relocate
12 misplaced provisions:

13 (1) Subdivision (26), Section 1.04, Alcoholic
14 Beverage Code, as added by Chapter 1190 (S.B. 1090), Acts of the
15 83rd Legislature, Regular Session, 2013, is redesignated as
16 Subdivision (28), Section 1.04, Alcoholic Beverage Code.

17 (2) Section 14.05, Alcoholic Beverage Code, as added
18 by Chapter 195 (S.B. 642), Acts of the 83rd Legislature, Regular
19 Session, 2013, is redesignated as Section 14.06, Alcoholic Beverage
20 Code.

21 (3) Section 105.081, Alcoholic Beverage Code, as added
22 by Chapter 535 (S.B. 518), Acts of the 83rd Legislature, Regular
23 Session, 2013, is redesignated as Section 105.082, Alcoholic
24 Beverage Code.

25 (4) Chapter 109, Business & Commerce Code, as added by
26 Chapter 1013 (H.B. 2539), Acts of the 83rd Legislature, Regular
27 Session, 2013, is redesignated as Chapter 110, Business & Commerce

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1 Code, and Sections 109.001, 109.002, and 109.003, Business &
2 Commerce Code, as added by that Act, are redesignated as Sections
3 110.001, 110.002, and 110.003, Business & Commerce Code,
4 respectively.

5 (5) Chapter 140, Civil Practice and Remedies Code, as
6 added by Chapter 1066 (H.B. 3241), Acts of the 83rd Legislature,
7 Regular Session, 2013, is redesignated as Chapter 140A, Civil
8 Practice and Remedies Code, and Sections 140.001, 140.002, 140.003,
9 140.004, 140.005, 140.006, 140.007, 140.008, 140.009, 140.010,
10 140.011, 140.012, and 140.013, Civil Practice and Remedies Code, as
11 added by that Act, are redesignated as Sections 140A.001, 140A.002,
12 140A.003, 140A.004, 140A.005, 140A.006, 140A.007, 140A.008,
13 140A.009, 140A.010, 140A.011, 140A.012, and 140A.013, Civil
14 Practice and Remedies Code, respectively.

15 (6) Subsection (a-1), Article 63.009, Code of Criminal
16 Procedure, as added by Chapter 571 (S.B. 742), Acts of the 83rd
17 Legislature, Regular Session, 2013, is redesignated as Subsection
18 (a-3), Article 63.009, Code of Criminal Procedure.

19 (7) Section 7.064, Education Code, as added by Chapter
20 1282 (H.B. 2012), Acts of the 83rd Legislature, Regular Session,
21 2013, is redesignated as Section 7.065, Education Code.

22 (8) Subsection (e), Section 21.044, Education Code, as
23 added by Chapter 1282 (H.B. 2012), Acts of the 83rd Legislature,
24 Regular Session, 2013, is redesignated as Subsection (g), Section
25 21.044, Education Code.

26 (9) Subsection (d), Section 21.054, Education Code, as
27 added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature,

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1 Regular Session, 2013, is redesignated as Subsection (g), Section
2 21.054, Education Code.

3 (10) Section 39.038, Education Code, as added by
4 Chapter 1279 (H.B. 1675), Acts of the 83rd Legislature, Regular
5 Session, 2013, is redesignated as Section 39.040, Education Code.

6 (11) Section 39.0545, Education Code, as added by
7 Chapter 167 (S.B. 1538), Acts of the 83rd Legislature, Regular
8 Session, 2013, is redesignated as Section 39.0548, Education Code.

9 (12) Section 39.084, Education Code, as added by
10 Chapter 895 (H.B. 3), Acts of the 81st Legislature, Regular
11 Session, 2009, is transferred to Subchapter A, Chapter 44,
12 Education Code, and redesignated as Section 44.0051, Education
13 Code.

14 (13) Subsection (d), Section 51.406, Education Code,
15 as added by Chapter 1312 (S.B. 59), Acts of the 83rd Legislature,
16 Regular Session, 2013, is redesignated as Subsection (e), Section
17 51.406, Education Code.

18 (14) Section 56.009, Education Code, as added by
19 Chapter 1155 (S.B. 215), Acts of the 83rd Legislature, Regular
20 Session, 2013, is redesignated as Section 56.0091, Education Code.

21 (15) Subchapter II, Chapter 61, Education Code, as
22 added by Chapter 983 (H.B. 2099), Acts of the 83rd Legislature,
23 Regular Session, 2013, is redesignated as Subchapter JJ, Chapter
24 61, Education Code.

25 (16) Subchapter II, Chapter 61, Education Code, as
26 added by Chapter 1229 (S.B. 1720), Acts of the 83rd Legislature,
27 Regular Session, 2013, is redesignated as Subchapter KK, Chapter

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1 61, Education Code.

2 (17) Section 54.04011, Family Code, as added by
3 Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular
4 Session, 2013, is redesignated as Section 54.04012, Family Code.

5 (18) Subsection (g), Section 264.121, Family Code, as
6 added by Chapter 342 (H.B. 2111), Acts of the 83rd Legislature,
7 Regular Session, 2013, is redesignated as Subsection (h), Section
8 264.121, Family Code.

9 (19) Section 264.124, Family Code, as added by Chapter
10 444 (S.B. 769), Acts of the 83rd Legislature, Regular Session,
11 2013, is redesignated as Section 264.125, Family Code.

12 (20) Section 72.031, Government Code, as added by
13 Chapter 1249 (S.B. 1908), Acts of the 83rd Legislature, Regular
14 Session, 2013, is redesignated as Section 72.032, Government Code.

15 (21) Subtitle K, Title 2, Government Code, as added by
16 Chapter 42 (S.B. 966), Acts of the 83rd Legislature, Regular
17 Session, 2013, is redesignated as Subtitle L, Title 2, Government
18 Code.

19 (22) Subsection (e), Section 411.185, Government
20 Code, as added by Chapter 665 (H.B. 1349), Acts of the 83rd
21 Legislature, Regular Session, 2013, is redesignated as Subsection
22 (g), Section 411.185, Government Code.

23 (23) Section 442.028, Government Code, as added by
24 Chapter 376 (H.B. 3211), Acts of the 83rd Legislature, Regular
25 Session, 2013, is redesignated as Section 442.029, Government Code.

26 (24) Section 501.023, Government Code, as added by
27 Chapter 261 (H.B. 634), Acts of the 83rd Legislature, Regular

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1 Session, 2013, is redesignated as Section 501.024, Government Code.

2 (25) Subsection (e), Section 508.281, Government
3 Code, as added by Chapter 1154 (S.B. 213), Acts of the 83rd
4 Legislature, Regular Session, 2013, is redesignated as Subsection
5 (f), Section 508.281, Government Code.

6 (26) Subdivision (7), Section 551.001, Government
7 Code, as added by Chapter 685 (H.B. 2414), Acts of the 83rd
8 Legislature, Regular Session, 2013, is redesignated as Subdivision
9 (8), Section 551.001, Government Code.

10 (27) Section 662.056, Government Code, as added by
11 Chapter 51 (H.B. 419), Acts of the 83rd Legislature, Regular
12 Session, 2013, is redesignated as Section 662.057, Government Code.

13 (28) Section 791.035, Government Code, as added by
14 Chapter 1211 (S.B. 1411), Acts of the 83rd Legislature, Regular
15 Session, 2013, is redesignated as Section 791.036, Government Code.

16 (29) Subchapter O, Chapter 2054, Government Code, as
17 added by Chapter 32 (S.B. 1102), Acts of the 83rd Legislature,
18 Regular Session, 2013, is redesignated as Subchapter N-1, Chapter
19 2054, Government Code, and Sections 2054.551, 2054.552, 2054.553,
20 and 2054.554, Government Code, as added by that Act, are
21 redesignated as Sections 2054.511, 2054.512, 2054.513, and
22 2054.514, Government Code, respectively.

23 (30) Section 2267.005, Government Code, as added by
24 Chapters 713 (H.B. 3436) and 1339 (S.B. 894), Acts of the 83rd
25 Legislature, Regular Session, 2013, is redesignated as Section
26 2267.007, Government Code.

27 (31) Chapter 169A, Health and Safety Code, is

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1 transferred to Subtitle K, Title 2, Government Code, as added by
2 Chapter 747 (S.B. 462), Acts of the 83rd Legislature, Regular
3 Session, 2013, and redesignated as Chapter 126, Government Code,
4 and Sections 169A.001, 169A.002, 169A.0025, 169A.003, 169A.004,
5 169A.005, 169A.0055, and 169A.006, Health and Safety Code, are
6 redesignated as Sections 126.001, 126.002, 126.003, 126.004,
7 126.005, 126.006, 126.007, and 126.008, Government Code,
8 respectively.

9 (32) Subchapter H, Chapter 241, Health and Safety
10 Code, as added by Chapter 917 (H.B. 1376), Acts of the 83rd
11 Legislature, Regular Session, 2013, is redesignated as Subchapter
12 I, Chapter 241, Health and Safety Code, and Sections 241.181,
13 241.182, 241.183, and 241.184, Health and Safety Code, as added by
14 that Act, are redesignated as Sections 241.201, 241.202, 241.203,
15 and 241.204, Health and Safety Code, respectively.

16 (33) Subsection (g), Section 573.001, Health and
17 Safety Code, as added by Chapter 776 (S.B. 1189), Acts of the 83rd
18 Legislature, Regular Session, 2013, is redesignated as Subsection
19 (h), Section 573.001, Health and Safety Code.

20 (34) Section 1001.078, Health and Safety Code, as
21 added by Chapters 1147 (S.B. 126) and 1143 (S.B. 58), Acts of the
22 83rd Legislature, Regular Session, 2013, is redesignated as Section
23 1001.084, Health and Safety Code.

24 (35) Subchapter H, Chapter 1001, Health and Safety
25 Code, as added by Chapter 352 (H.B. 2392), Acts of the 83rd
26 Legislature, Regular Session, 2013, is redesignated as Subchapter
27 I, Chapter 1001, Health and Safety Code, and Sections 1001.201,

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1 1001.202, 1001.203, and 1001.204, Health and Safety Code, as added
2 by that Act, are redesignated as Sections 1001.221, 1001.222,
3 1001.223, and 1001.224, Health and Safety Code, respectively.

4 (36) Section 152.0016, Human Resources Code, as added
5 by Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular
6 Session, 2013, is redesignated as Section 152.0017, Human Resources
7 Code.

8 (37) Subsection (f), Section 1355.015, Insurance
9 Code, as added by Chapter 1359 (S.B. 1484), Acts of the 83rd
10 Legislature, Regular Session, 2013, is redesignated as Subsection
11 (g), Section 1355.015, Insurance Code.

12 (38) Subchapter F, Chapter 1369, Insurance Code, as
13 added by Chapter 1328 (S.B. 644), Acts of the 83rd Legislature,
14 Regular Session, 2013, is redesignated as Subchapter G, Chapter
15 1369, Insurance Code, and Sections 1369.251, 1369.252, 1369.253,
16 1369.254, 1369.255, and 1369.256, Insurance Code, as added by that
17 Act, are redesignated as Sections 1369.301, 1369.302, 1369.303,
18 1369.304, 1369.305, and 1369.306, Insurance Code, respectively.

19 (39) Subsection (a-1), Section 204.022, Labor Code, as
20 added by Chapter 888 (H.B. 916), Acts of the 83rd Legislature,
21 Regular Session, 2013, is redesignated as Subsection (a-2), Section
22 204.022, Labor Code.

23 (40) Section 379C.014, Local Government Code, as added
24 by Chapter 1085 (H.B. 3447), Acts of the 83rd Legislature, Regular
25 Session, 2013, is redesignated as Section 379C.015, Local
26 Government Code.

27 (41) Chapter 385, Local Government Code, as added by

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1 Chapter 1204 (H.B. 3647), Acts of the 77th Legislature, Regular
2 Session, 2001, is transferred to Subtitle C, Title 4, Special
3 District Local Laws Code, and redesignated as Chapter 3875, Special
4 District Local Laws Code, and Sections 385.001, 385.002, 385.003,
5 385.004, 385.005, 385.006, 385.031, 385.032, 385.033, 385.034,
6 385.035, 385.036, 385.037, 385.038, 385.039, 385.040, 385.071,
7 385.072, 385.073, 385.074, 385.075, 385.076, 385.077, 385.078,
8 385.079, 385.080, 385.111, 385.112, 385.113, 385.114, 385.115,
9 385.131, 385.132, and 385.133, Local Government Code, as added by
10 that Act, are redesignated as Sections 3875.001, 3875.002,
11 3875.003, 3875.004, 3875.005, 3875.006, 3875.031, 3875.032,
12 3875.033, 3875.034, 3875.035, 3875.036, 3875.037, 3875.038,
13 3875.039, 3875.040, 3875.071, 3875.072, 3875.073, 3875.074,
14 3875.075, 3875.076, 3875.077, 3875.078, 3875.079, 3875.080,
15 3875.111, 3875.112, 3875.113, 3875.114, 3875.115, 3875.131,
16 3875.132, and 3875.133, Special District Local Laws Code,
17 respectively.

18 (42) Section 501.163, Local Government Code, as added
19 by Chapter 1295 (H.B. 2473), Acts of the 83rd Legislature, Regular
20 Session, 2013, is redesignated as Section 501.164, Local Government
21 Code.

22 (43) Section 55.005, Occupations Code, as added by
23 Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular
24 Session, 2013, is redesignated as Section 55.008, Occupations Code.

25 (44) Section 11.132, Tax Code, as added by Chapter 138
26 (S.B. 163), Acts of the 83rd Legislature, Regular Session, 2013, is
27 redesignated as Section 11.133, Tax Code.

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1 (45) Subsection (b), Section 33.04, Tax Code, as added
2 by Chapter 935 (H.B. 1597), Acts of the 83rd Legislature, Regular
3 Session, 2013, is redesignated as Subsection (b-1), Section 33.04,
4 Tax Code.

5 (46) Sections 171.651 and 171.652, Tax Code, as added
6 by Chapter 1109 (H.B. 469), Acts of the 81st Legislature, Regular
7 Session, 2009, and transferred, redesignated, and amended by
8 Chapter 1003 (H.B. 2446), Acts of the 83rd Legislature, Regular
9 Session, 2013, are redesignated as Sections 171.601 and 171.602,
10 Tax Code, respectively.

11 (47) Section 313.010, Tax Code, as added by Chapter
12 1274 (H.B. 1223), Acts of the 83rd Legislature, Regular Session,
13 2013, is redesignated as Section 313.009, Tax Code.

14 (48) Section 225.091, Transportation Code, as added by
15 Chapter 14 (S.B. 139), Acts of the 83rd Legislature, Regular
16 Session, 2013, is redesignated as Section 225.093, Transportation
17 Code.

18 (49) Section 225.091, Transportation Code, as added by
19 Chapter 725 (H.B. 3946), Acts of the 83rd Legislature, Regular
20 Session, 2013, is redesignated as Section 225.094, Transportation
21 Code.

22 (50) Section 225.091, Transportation Code, as added by
23 Chapter 177 (H.B. 1238), Acts of the 83rd Legislature, Regular
24 Session, 2013, is redesignated as Section 225.096, Transportation
25 Code.

26 (51) Section 225.091, Transportation Code, as added by
27 Chapter 281 (H.B. 938), Acts of the 83rd Legislature, Regular

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1 Session, 2013, is redesignated as Section 225.097, Transportation
2 Code.

3 (52) Section 225.091, Transportation Code, as added by
4 Chapter 248 (H.B. 442), Acts of the 83rd Legislature, Regular
5 Session, 2013, is redesignated as Section 225.098, Transportation
6 Code.

7 (53) Section 225.091, Transportation Code, as added by
8 Chapter 233 (H.B. 250), Acts of the 83rd Legislature, Regular
9 Session, 2013, is redesignated as Section 225.099, Transportation
10 Code.

11 (54) Section 225.092, Transportation Code, as added by
12 Chapter 1110 (H.B. 3831), Acts of the 83rd Legislature, Regular
13 Session, 2013, is redesignated as Section 225.100, Transportation
14 Code.

15 (55) Section 225.092, Transportation Code, as added by
16 Chapter 999 (H.B. 2356), Acts of the 83rd Legislature, Regular
17 Session, 2013, is redesignated as Section 225.101, Transportation
18 Code.

19 (56) Section 504.663, Transportation Code, as added by
20 Chapter 1102 (H.B. 3677), Acts of the 83rd Legislature, Regular
21 Session, 2013, is redesignated as Section 504.664, Transportation
22 Code.

23 (57) Section 504.946, Transportation Code, as added by
24 Chapter 809 (S.B. 1757), Acts of the 83rd Legislature, Regular
25 Session, 2013, is redesignated as Section 504.9465, Transportation
26 Code.

27 (58) Section 521.008, Transportation Code, as added by

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1 Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular
2 Session, 2013, is redesignated as Section 521.009, Transportation
3 Code.

4 (59) Section 521.008, Transportation Code, as added by
5 Chapter 868 (H.B. 633), Acts of the 83rd Legislature, Regular
6 Session, 2013, is redesignated as Section 521.010, Transportation
7 Code.

8 (60) Subsection (l), Section 521.126, Transportation
9 Code, as added by Chapter 67 (S.B. 166), Acts of the 83rd
10 Legislature, Regular Session, 2013, is redesignated as Subsection
11 (m), Section 521.126, Transportation Code.

12 (61) Subchapter Q, Chapter 623, Transportation Code,
13 as added by Chapter 635 (H.B. 474), Acts of the 83rd Legislature,
14 Regular Session, 2013, is redesignated as Subchapter S, Chapter
15 623, Transportation Code, and Sections 623.320, 623.321, 623.322,
16 623.323, 623.324, 623.325, 623.326, 623.327, and 623.328,
17 Transportation Code, as added by that Act, are redesignated as
18 Sections 623.361, 623.362, 623.363, 623.364, 623.365, 623.366,
19 623.367, 623.368, and 623.369, Transportation Code, respectively.

20 (62) Subsection (m), Section 49.351, Water Code, as
21 added by Chapter 991 (H.B. 2152), Acts of the 83rd Legislature,
22 Regular Session, 2013, is redesignated as Subsection (n), Section
23 49.351, Water Code.

24 SECTION 21.002. The following changes are made to conform
25 the provisions amended to the redesignating changes made by Section
26 21.001 of this Act and to correct cross-references:

27 (1) Subdivision (5), Section 140A.001, Civil Practice

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1 and Remedies Code, as redesignated from Subdivision (5), Section
2 140.001, Civil Practice and Remedies Code, by Section 21.001 of
3 this Act, is amended to read as follows:

4 (5) "Racketeering" means an act described by Section
5 140A.002 [~~140.002~~].

6 (2) Subsection (a), Section 140A.010, Civil Practice
7 and Remedies Code, as redesignated from Subsection (a), Section
8 140.010, Civil Practice and Remedies Code, by Section 21.001 of
9 this Act, is amended to read as follows:

10 (a) A district attorney, criminal district attorney, or
11 county attorney with felony criminal jurisdiction that receives
12 notice under Section 140A.009 [~~140.009~~] may notify the attorney
13 general of a related pending criminal investigation or prosecution.

14 (3) Section 140A.011, Civil Practice and Remedies
15 Code, as redesignated from Section 140.011, Civil Practice and
16 Remedies Code, by Section 21.001 of this Act, is amended to read as
17 follows:

18 Sec. 140A.011 [~~140.011~~]. ABATEMENT OF SUIT. If the
19 district attorney, criminal district attorney, or county attorney
20 with felony criminal jurisdiction determines that a suit brought
21 under this chapter would interfere with an ongoing criminal
22 investigation or prosecution after notifying the attorney general
23 of the investigation or prosecution under Section 140A.010
24 [~~140.010~~], the district attorney, criminal district attorney, or
25 county attorney with felony criminal jurisdiction may request, in
26 writing, that the attorney general abate the suit. On receipt of
27 this request, the attorney general shall abate the suit.

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1 (4) Subsection (b), Section 61.5391, Education Code,
2 is amended to read as follows:

3 (b) Money in the account may not be appropriated for any
4 purpose except:

5 (1) to provide loan repayment assistance to eligible
6 physicians under this subchapter; or

7 (2) to provide loan repayment assistance under
8 Subchapter JJ [~~II~~] if reallocated under Section 61.9826.

9 (5) Subsection (b), Section 54.0326, Family Code, is
10 amended to read as follows:

11 (b) A juvenile court may defer adjudication proceedings
12 under Section 54.03 until the child's 18th birthday and require a
13 child to participate in a program established under Section
14 152.0017 [~~152.0016~~], Human Resources Code, if the child:

15 (1) is alleged to have engaged in delinquent conduct
16 or conduct indicating a need for supervision and may be a victim of
17 conduct that constitutes an offense under Section 20A.02, Penal
18 Code; and

19 (2) presents to the court an oral or written request to
20 participate in the program.

21 (6) Subsection (b), Section 54.04012, Family Code, as
22 redesignated from Subsection (b), Section 54.04011, Family Code, by
23 Section 21.001 of this Act, is amended to read as follows:

24 (b) A juvenile court may require a child adjudicated to have
25 engaged in delinquent conduct or conduct indicating a need for
26 supervision and who is believed to be a victim of conduct that
27 constitutes an offense under Section 20A.02, Penal Code, to

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1 participate in a program established under Section 152.0017
2 [~~152.0016~~], Human Resources Code.

3 (7) Subsection (c-7), Section 58.003, Family Code, is
4 amended to read as follows:

5 (c-7) Notwithstanding Subsections (a) and (c) and subject
6 to Subsection (b), a juvenile court may order the sealing of records
7 concerning a child found to have engaged in delinquent conduct or
8 conduct indicating a need for supervision or taken into custody to
9 determine whether the child engaged in delinquent conduct or
10 conduct indicating a need for supervision if the child successfully
11 completed a trafficked persons program under Section 152.0017
12 [~~152.0016~~], Human Resources Code. The court may:

13 (1) order the sealing of the records immediately and
14 without a hearing; or

15 (2) hold a hearing to determine whether to seal the
16 records.

17 (8) Subsection (c), Section 126.005, Government Code,
18 as redesignated from Subsection (c), Section 169A.004, Health and
19 Safety Code, by Section 21.001 of this Act, is amended to read as
20 follows:

21 (c) A legislative committee may require a county that does
22 not establish a prostitution prevention program under this chapter
23 due to a lack of sufficient funding, as provided by Section
24 126.007(c) [~~169A.0055(c)~~], to provide the committee with any
25 documentation in the county's possession that concerns federal or
26 state funding received by the county.

27 (9) Subsection (d-1), Section 403.302, Government

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1 Code, is amended to read as follows:

2 (d-1) For purposes of Subsection (d), a residence homestead
3 that receives an exemption under Section 11.131 or 11.133 [~~11.132~~],
4 Tax Code, in the year that is the subject of the study is not
5 considered to be taxable property.

6 (10) Subsections (b) and (c), Section 411.1408,
7 Government Code, are amended to read as follows:

8 (b) The commission is entitled to obtain from the department
9 criminal history record information maintained by the department
10 that relates to a person who is an applicant for or the holder of a
11 certificate, registration, or license issued by the commission or
12 otherwise under Subtitle L [~~K~~], Title 2.

13 (c) Criminal history record information obtained by the
14 commission under Subsection (b):

15 (1) may be used by the commission for any purpose
16 related to the issuance, denial, suspension, revocation, or renewal
17 of a certificate, registration, or license issued by the commission
18 or otherwise under Subtitle L [~~K~~], Title 2;

19 (2) may not be released or disclosed to any person
20 except:

21 (A) on court order;

22 (B) with the consent of the person who is the
23 subject of the information; or

24 (C) as authorized by Section 411.1386(a-6) of
25 this code or Section 1104.404, Estates [~~698(a-6), Texas Probate~~]
26 Code, if applicable; and

27 (3) shall be destroyed by the commission after the

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1 information is used for the authorized purposes.

2 (11) Subsection (a), Section 434.017, Government
3 Code, is amended to read as follows:

4 (a) The fund for veterans' assistance is a special fund in
5 the state treasury outside the general revenue fund. The fund is
6 composed of:

7 (1) money transferred to the fund at the direction of
8 the legislature;

9 (2) gifts and grants contributed to the fund;

10 (3) the earnings of the fund;

11 (4) money transferred to the fund from proceeds of the
12 lottery game operated under Section 466.027 or transferred to the
13 fund under Section 466.408(b);

14 (5) money deposited to the credit of the fund under
15 Section 502.1746, Transportation Code; and

16 (6) money deposited to the credit of the fund under
17 Section 521.010 [~~521.008~~], Transportation Code.

18 (12) Section 241.202, Health and Safety Code, as
19 redesignated from Section 241.182, Health and Safety Code, by
20 Section 21.001 of this Act, is amended to read as follows:

21 Sec. 241.202 [~~241.182~~]. ADVERTISING. A facility described
22 by Section 241.201 [~~241.181~~] may not advertise or hold itself out as
23 a medical office, facility, or provider other than an emergency
24 room if the facility charges for its services the usual and
25 customary rate charged for the same service by a hospital emergency
26 room in the same region of the state or located in a region of the
27 state with comparable rates for emergency health care services.

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1 (13) Section 241.203, Health and Safety Code, as
2 redesignated from Section 241.183, Health and Safety Code, by
3 Section 21.001 of this Act, is amended to read as follows:

4 Sec. 241.203 [~~241.183~~]. POSTED NOTICE. Subject to Section
5 241.006, the department shall adopt rules for a notice to be posted
6 in a conspicuous place in the facility described by Section 241.201
7 [~~241.181~~] that notifies prospective patients that the facility is
8 an emergency room and charges rates comparable to a hospital
9 emergency room.

10 (14) Section 1369.303, Insurance Code, as
11 redesignated from Section 1369.253, Insurance Code, by Section
12 21.001 of this Act, is amended to read as follows:

13 Sec. 1369.303 [~~1369.253~~]. EXCEPTION. This subchapter does
14 not apply to:

- 15 (1) a health benefit plan that provides coverage:
 - 16 (A) only for a specified disease or for another
 - 17 single benefit;
 - 18 (B) only for accidental death or dismemberment;
 - 19 (C) for wages or payments in lieu of wages for a
 - 20 period during which an employee is absent from work because of
 - 21 sickness or injury;
 - 22 (D) as a supplement to a liability insurance
 - 23 policy;
 - 24 (E) for credit insurance;
 - 25 (F) only for dental or vision care;
 - 26 (G) only for hospital expenses; or
 - 27 (H) only for indemnity for hospital confinement;

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1 (2) a Medicare supplemental policy as defined by
2 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

3 (3) medical payment insurance coverage provided under
4 a motor vehicle insurance policy;

5 (4) a long-term care insurance policy, including a
6 nursing home fixed indemnity policy, unless the commissioner
7 determines that the policy provides benefit coverage so
8 comprehensive that the policy is a health benefit plan as described
9 by Section 1369.302 [~~1369.252~~];

10 (5) health and accident coverage provided by a risk
11 pool created under Chapter 172, Local Government Code; or

12 (6) a workers' compensation insurance policy.

13 (15) Subsection (c), Section 1369.304, Insurance
14 Code, as redesignated from Subsection (c), Section 1369.254,
15 Insurance Code, by Section 21.001 of this Act, is amended to read as
16 follows:

17 (c) In prescribing a form under this section, the
18 commissioner shall:

19 (1) develop the form with input from the advisory
20 committee on uniform prior authorization forms established under
21 Section 1369.305 [~~1369.255~~]; and

22 (2) take into consideration:

23 (A) any form for requesting prior authorization
24 of benefits that is widely used in this state or any form currently
25 used by the department;

26 (B) request forms for prior authorization of
27 benefits established by the federal Centers for Medicare and

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1 Medicaid Services; and

2 (C) national standards, or draft standards,
3 pertaining to electronic prior authorization of benefits.

4 (16) Subsections (a) and (c), Section 1369.305,
5 Insurance Code, as redesignated from Subsections (a) and (c),
6 Section 1369.255, Insurance Code, by Section 21.001 of this Act,
7 are amended to read as follows:

8 (a) The commissioner shall appoint a committee to advise the
9 commissioner on the technical, operational, and practical aspects
10 of developing the single, standard prior authorization form
11 required under Section 1369.304 [~~1369.254~~] for requesting prior
12 authorization of prescription drug benefits.

13 (c) The commissioner shall consult the advisory committee
14 with respect to any rule relating to a subject described by Section
15 1369.304 [~~1369.254~~] or this section before adopting the rule and
16 may consult the committee as needed with respect to a subsequent
17 amendment of an adopted rule.

18 (17) Subsections (a) and (b), Section 120.003, Natural
19 Resources Code, are amended to read as follows:

20 (a) An entity that applies to the commission under Section
21 120.002 for a certification that a project operated by the entity
22 meets the requirements for a clean energy project is responsible
23 for conducting a monitoring, measuring, and verification process
24 that demonstrates that the project complies with the requirements
25 of Section 171.602(b)(4) [~~171.652(b)(4)~~], Tax Code.

26 (b) The entity shall contract with the bureau for the bureau
27 to:

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1 (1) design initial protocols and standards for the
2 process described by Subsection (a);

3 (2) review the conduct of the process described by
4 Subsection (a) in order to make any necessary changes in the design
5 of the protocols and standards;

6 (3) evaluate the results of the process described by
7 Subsection (a);

8 (4) provide an evaluation of the results of the
9 process described by Subsection (a) to the commission; and

10 (5) determine whether to transmit to the comptroller
11 the verification described by Section 171.602(b)(4), Tax
12 [~~490.352(b)(4), Government~~] Code.

13 (18) Subsection (a), Section 3875.031, Special
14 District Local Laws Code, as redesignated from Subsection (a),
15 Section 385.031, Local Government Code, by Section 21.001 of this
16 Act, is amended to read as follows:

17 (a) The district has all of the powers and duties provided
18 by the general law of this state, including:

19 (1) Subchapter E, Chapter 375, Local Government Code;

20 (2) the general laws of this state on conservation and
21 reclamation districts created under Section 59, Article XVI, Texas
22 Constitution, including Chapters 49 and 54, Water Code; and

23 (3) the general laws of this state on road districts
24 and road utility districts created under Section 52(b)(3), Article
25 III, Texas Constitution, including Chapter 441, Transportation
26 Code.

27 (19) Section 3875.033, Special District Local Laws

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1 Code, as redesignated from Section 385.033, Local Government Code,
2 by Section 21.001 of this Act, is amended to read as follows:

3 Sec. 3875.033 [~~385.033~~]. POWERS RELATED GENERALLY TO
4 FINANCIAL AND TERRITORIAL MATTERS. The district may:

5 (1) impose, assess, and apply the proceeds from a
6 limited sales and use tax as authorized by Section 3875.111
7 [~~385.111~~] for authorized purposes;

8 (2) borrow money for district purposes;

9 (3) add or exclude territory in the manner provided by
10 Subchapter J, Chapter 49, Water Code, as limited by Section 54.016,
11 Water Code, except that:

12 (A) for purposes of this subdivision, a reference
13 in Subchapter J, Chapter 49, Water Code, or Section 54.016, Water
14 Code, to a tax means an ad valorem tax; and

15 (B) Section 54.016, Water Code, and Section
16 42.042, Local Government Code, do not apply to the district's
17 annexation of land restricted primarily to commercial or business
18 use;

19 (4) enter into a contract with any person for the
20 accomplishment of any district purpose, including a contract for:

21 (A) the payment, repayment, or reimbursement of
22 any costs incurred by that person for or on behalf of the district,
23 including all or part of the costs of any improvement project and
24 interest on the reimbursed cost; or

25 (B) the use, occupancy, lease, rental,
26 operation, maintenance, or management of all or part of a proposed
27 or existing improvement project;

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1 (5) apply for and contract with any person to receive,
2 administer, and perform any duty or obligation of the district
3 under any federal, state, local, or private gift, grant, loan,
4 conveyance, transfer, bequest, donation, or other financial
5 assistance arrangement relating to the investigation, planning,
6 analysis, study, design, acquisition, construction, improvement,
7 completion, implementation, or operation by the district or others
8 of a proposed or existing improvement project;

9 (6) establish, revise, repeal, enforce, collect, and
10 apply the proceeds from user fees or charges for the enjoyment,
11 sale, rental, or other use of the district's facilities, services,
12 properties, or improvement projects;

13 (7) provide or secure the payment or repayment of the
14 costs and expenses of the establishment, administration, and
15 operation of the district and the district's costs or share of the
16 costs of any improvement project or district contractual obligation
17 or indebtedness by or through a lease, installment purchase
18 contract, or other agreement with any person, or the levy and
19 assessment of taxes, user fees, concessions, rentals, or other
20 revenues or resources of the district;

21 (8) undertake separately or jointly with other persons
22 all or part of the cost of an improvement project, including an
23 improvement project:

24 (A) for improving, enhancing, and supporting
25 public safety and security, fire protection and emergency medical
26 services, and law enforcement within and adjacent to the district;
27 or

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1 (B) that confers a general benefit on the entire
2 district or a special benefit on a definable part of the district;
3 and

4 (9) impose, collect, and apply the proceeds from a
5 hotel occupancy tax as provided by Sections 3875.112 [~~385.112~~] and
6 3875.113 [~~385.113~~].

7 (20) Section 3875.036, Special District Local Laws
8 Code, as redesignated from Section 385.036, Local Government Code,
9 by Section 21.001 of this Act, is amended to read as follows:

10 Sec. 3875.036 [~~385.036~~]. ECONOMIC DEVELOPMENT. The
11 district may exercise the economic development powers and authority
12 that Chapter 380, Local Government Code, provides to a municipality
13 with a population of more than 100,000, and Chapter 1509,
14 Government Code, provides to a municipality.

15 (21) Section 3875.071, Special District Local Laws
16 Code, as redesignated from Section 385.071, Local Government Code,
17 by Section 21.001 of this Act, is amended to read as follows:

18 Sec. 3875.071 [~~385.071~~]. BOARD OF DIRECTORS. Except as
19 provided by this subchapter, the district is governed by a board of
20 five directors elected by the voters of the district at large.
21 Except as provided by Sections 3875.073(b) [~~385.073(b)~~] and
22 3875.074 [~~385.074~~], directors serve staggered terms of four years
23 and until their successors have been elected and have qualified.

24 (22) Subsection (c), Section 3875.112, Special
25 District Local Laws Code, as redesignated from Subsection (c),
26 Section 385.112, Local Government Code, by Section 21.001 of this
27 Act, is amended to read as follows:

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1 (c) Subchapter A, Chapter 352, Tax Code, governs a hotel
2 occupancy tax authorized under this section, including the
3 collection of the tax, except as inconsistent with this section and
4 Section 3875.113 [~~385.113~~], subject to the limitations prescribed
5 by Sections 352.002(b) and (c), Tax Code.

6 (23) Subsections (a) and (b), Section 3875.113,
7 Special District Local Laws Code, as redesignated from Subsections
8 (a) and (b), Section 385.113, Local Government Code, by Section
9 21.001 of this Act, are amended to read as follows:

10 (a) The district shall apply the proceeds from a hotel
11 occupancy tax imposed under Section 3875.112 [~~385.112~~] for any of
12 the district's purposes and for the purposes described by Section
13 352.1015, Tax Code, to the extent considered appropriate by the
14 board.

15 (b) During each interval of three calendar years following
16 the date on which a hotel occupancy tax imposed under Section
17 3875.112 [~~385.112~~] is initially collected, the board may not apply
18 an annual average of more than 10 percent of the amount of tax
19 collected under that section, excluding any interest earnings or
20 investment profits and after a deduction for the costs of imposing
21 and collecting the taxes, for the administrative expenses of the
22 district or a district purpose other than:

- 23 (1) the costs of advertising and promoting tourism; or
- 24 (2) the costs of business development and commerce,
25 including the costs of planning, designing, constructing,
26 acquiring, leasing, financing, owning, operating, maintaining,
27 managing, improving, repairing, rehabilitating, or reconstructing

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1 improvement projects for conferences, conventions, and
2 exhibitions, manufacturer, consumer, or trade shows, and civic,
3 community, or institutional events.

4 (24) Subsections (a) and (c), Section 3875.114,
5 Special District Local Laws Code, as redesignated from Subsections
6 (a) and (c), Section 385.114, Local Government Code, by Section
7 21.001 of this Act, are amended to read as follows:

8 (a) The district may issue bonds in the manner provided by
9 Subchapter J, Chapter 375, Local Government Code. Sections 375.207
10 and 375.208, Local Government Code, do not apply to bonds issued
11 under this section.

12 (c) In addition to the sources of money described by
13 Subchapter J, Chapter 375, Local Government Code, the bonds of the
14 district may be secured and made payable, wholly or partly, by a
15 pledge of any part of the net proceeds the district receives from
16 the sales and use tax authorized by Section 3875.111 [~~385.111~~] and
17 the hotel occupancy tax authorized by Section 3875.112 [~~385.112~~].

18 (25) Subsection (c), Section 11.42, Tax Code, is
19 amended to read as follows:

20 (c) An exemption authorized by Section 11.13(c) or (d), ~~[ex]~~
21 11.132, or 11.133 is effective as of January 1 of the tax year in
22 which the person qualifies for the exemption and applies to the
23 entire tax year.

24 (26) Subsection (c), Section 11.43, Tax Code, is
25 amended to read as follows:

26 (c) An exemption provided by Section 11.13, 11.131, 11.132,
27 11.133, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19, 11.20, 11.21,

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1 11.22, 11.23(h), (j), or (j-1), 11.231, 11.254, 11.271, 11.29,
2 11.30, 11.31, or 11.315, once allowed, need not be claimed in
3 subsequent years, and except as otherwise provided by Subsection
4 (e), the exemption applies to the property until it changes
5 ownership or the person's qualification for the exemption changes.
6 However, the chief appraiser may require a person allowed one of the
7 exemptions in a prior year to file a new application to confirm the
8 person's current qualification for the exemption by delivering a
9 written notice that a new application is required, accompanied by
10 an appropriate application form, to the person previously allowed
11 the exemption.

12 (27) Subsection (a), Section 11.431, Tax Code, is
13 amended to read as follows:

14 (a) The chief appraiser shall accept and approve or deny an
15 application for a residence homestead exemption, including an
16 exemption under Section 11.131 or 11.132 for the residence
17 homestead of a disabled veteran or the surviving spouse of a
18 disabled veteran or an exemption under Section 11.133 [~~11.132~~] for
19 the residence homestead of the surviving spouse of a member of the
20 armed services of the United States who is killed in action, after
21 the deadline for filing it has passed if it is filed not later than
22 one year after the delinquency date for the taxes on the homestead.

23 (28) Subsection (b), Section 26.10, Tax Code, is
24 amended to read as follows:

25 (b) If the appraisal roll shows that a residence homestead
26 exemption under Section 11.13(c) or (d), ~~[or]~~ 11.132, or 11.133
27 applicable to a property on January 1 of a year terminated during

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1 the year and if the owner of the property qualifies a different
2 property for one of those residence homestead exemptions during the
3 same year, the tax due against the former residence homestead is
4 calculated by:

5 (1) subtracting:

6 (A) the amount of the taxes that otherwise would
7 be imposed on the former residence homestead for the entire year had
8 the owner qualified for the residence homestead exemption for the
9 entire year; from

10 (B) the amount of the taxes that otherwise would
11 be imposed on the former residence homestead for the entire year had
12 the owner not qualified for the residence homestead exemption
13 during the year;

14 (2) multiplying the remainder determined under
15 Subdivision (1) by a fraction, the denominator of which is 365 and
16 the numerator of which is the number of days that elapsed after the
17 date the exemption terminated; and

18 (3) adding the product determined under Subdivision
19 (2) and the amount described by Subdivision (1)(A).

20 (29) Section 26.112, Tax Code, is amended to read as
21 follows:

22 Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF
23 CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if
24 at any time during a tax year property is owned by an individual who
25 qualifies for an exemption under Section 11.13(c) or (d) or 11.133
26 [~~11.132~~], the amount of the tax due on the property for the tax year
27 is calculated as if the individual qualified for the exemption on

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1 January 1 and continued to qualify for the exemption for the
2 remainder of the tax year.

3 (b) If an individual qualifies for an exemption under
4 Section 11.13(c) or (d) or 11.133 [~~11.132~~] with respect to the
5 property after the amount of the tax due on the property is
6 calculated and the effect of the qualification is to reduce the
7 amount of the tax due on the property, the assessor for each taxing
8 unit shall recalculate the amount of the tax due on the property and
9 correct the tax roll. If the tax bill has been mailed and the tax on
10 the property has not been paid, the assessor shall mail a corrected
11 tax bill to the person in whose name the property is listed on the
12 tax roll or to the person's authorized agent. If the tax on the
13 property has been paid, the tax collector for the taxing unit shall
14 refund to the person who paid the tax the amount by which the
15 payment exceeded the tax due.

16 (30) Subsection (b), Section 251.151, Transportation
17 Code, is amended to read as follows:

18 (b) The commissioners court of a county may by order apply
19 the county's traffic regulations to a public road in the county that
20 is owned, operated, and maintained by a special district and
21 located wholly or partly in the county if the commissioners court
22 and the board of the district have entered into an interlocal
23 contract under Section 791.036 [~~791.035~~], Government Code.

24 (31) Section 521.428, Transportation Code, is amended
25 to read as follows:

26 Sec. 521.428. COUNTY FEE. A county that provides services
27 under an agreement described by Section 521.009 [~~521.008~~] may

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1 collect an additional fee of up to \$5 for each transaction provided
2 that relates to driver's license and personal identification
3 certificate services only.

4 (32) Section 623.362, Transportation Code, as
5 redesignated from Section 623.321, Transportation Code, by Section
6 21.001 of this Act, is amended to read as follows:

7 Sec. 623.362 [~~623.321~~]. DEFINITION. In this subchapter,
8 "authority" means the regional mobility authority authorized to
9 issue permits under Section 623.363 [~~623.322~~].

10 (33) Subsection (b), Section 623.364, Transportation
11 Code, as redesignated from Subsection (b), Section 623.323,
12 Transportation Code, by Section 21.001 of this Act, is amended to
13 read as follows:

14 (b) Fees collected under Subsection (a) shall be used only
15 for the construction and maintenance of the roads described by or
16 designated under Section 623.363 [~~623.322~~] and for the authority's
17 administrative costs, which may not exceed 15 percent of the fees
18 collected. The authority shall make payments to the Texas
19 Department of Transportation to provide funds for the maintenance
20 of roads and highways subject to this subchapter.

21 (34) Subsection (a), Section 623.365, Transportation
22 Code, as redesignated from Subsection (a), Section 623.324,
23 Transportation Code, by Section 21.001 of this Act, is amended to
24 read as follows:

- 25 (a) A permit issued under this subchapter must include:
26 (1) the name of the applicant;
27 (2) the date of issuance;

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1 (3) the signature of the designated agent for the
2 authority;

3 (4) a statement of the kind of cargo being
4 transported, the maximum weight and dimensions of the equipment,
5 and the kind and weight of each commodity to be transported;

6 (5) a statement:

7 (A) that the gross weight of the vehicle for
8 which a permit is issued may not exceed 125,000 pounds; and

9 (B) of any other condition on which the permit is
10 issued;

11 (6) a statement that the cargo may be transported in
12 Hidalgo County only over the roads described by or designated under
13 Section 623.363 [~~623.322~~]; and

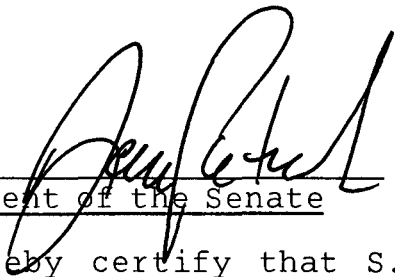
14 (7) the location where the cargo was loaded.

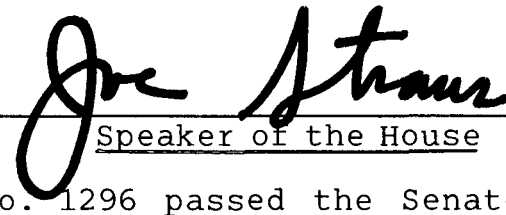
15 ARTICLE 22. EFFECTIVE DATE

16 SECTION 22.001. Except as otherwise provided by this Act,
17 this Act takes effect September 1, 2015.

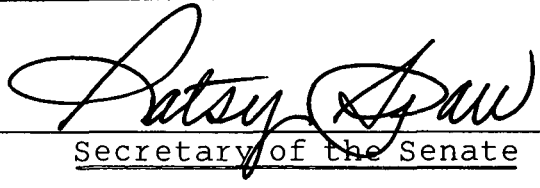
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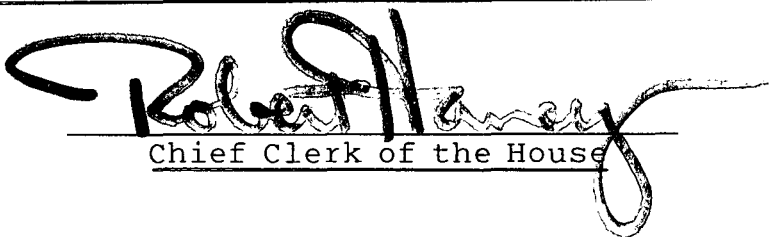

President of the Senate


Speaker of the House

I hereby certify that S.B. No. 1296 passed the Senate on April 14, 2015, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 29, 2015, by the following vote: Yeas 30, Nays 1.

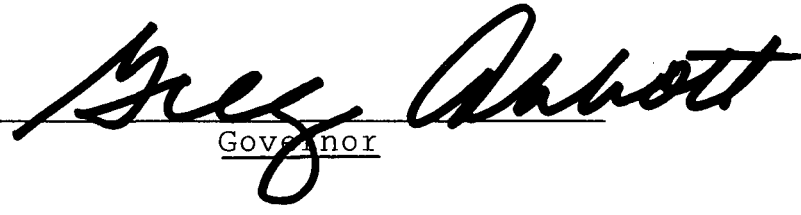

Secretary of the Senate

I hereby certify that S.B. No. 1296 passed the House, with amendments, on May 26, 2015, by the following vote: Yeas 147, Nays 0, two present not voting.

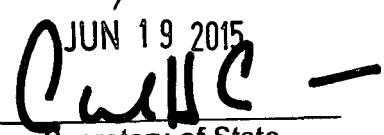

Chief Clerk of the House

Approved:

6-17-2015
Date


Governor

STATE OF MASSACHUSETTS
OFFICE OF THE SECRETARY OF STATE
JUN 19 2015

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6:30 pm O'CLOCK
JUN 19 2015

Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 26, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1296 by West (Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.), **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: UP, AG, KK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 15, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1296 by West (Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.), **Committee Report 2nd House, Substituted**

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: UP, AG, KK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1296 by West (Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.), **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: UP, AG, KK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 8, 2015

TO: Honorable Kelly Hancock, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1296 by West (Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.), **Committee Report 1st House, As Amended**

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: UP, KK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 30, 2015

TO: Honorable Kelly Hancock, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1296 by West (Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.), **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: UP, KK, SD