

1 AN ACT

2 relating to nonsubstantive additions to, revisions of, and
3 corrections in enacted codes, to the nonsubstantive codification or
4 disposition of various laws omitted from enacted codes, and to
5 conforming codifications enacted by the 86th Legislature to other
6 Acts of that legislature.

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

8 ARTICLE 1. GENERAL PROVISIONS

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

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

16 (2) conforming codifications enacted by the 86th
17 Legislature to other Acts of that legislature that amended the laws
18 codified or added new law to subject matter codified;

19 (3) revising without substantive change provisions in
20 enacted codes;

21 (4) making necessary corrections to enacted codes; and

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

1 SECTION 1.002. (a) The repeal of a statute by this Act does
2 not affect an amendment, revision, or reenactment of the statute by
3 the 87th Legislature, Regular Session, 2021. The amendment,
4 revision, or reenactment is preserved and given effect as part of
5 the code provision that revised the statute so amended, revised, or
6 reenacted.

7 (b) If any provision of this Act conflicts with a statute
8 enacted by the 87th Legislature, Regular Session, 2021, the statute
9 controls.

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

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

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

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22 affect in any manner a validation under the repealed law.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

25 (b) Subsection (a) of this section does not diminish the
26 saving provisions prescribed by Section [311.031](#), Government Code.

ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

SECTION 2.001. (a) Section 48.01, Alcoholic Beverage Code, as amended by Chapters 230 (H.B. 2196) and 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

Sec. 48.01. AUTHORIZED ACTIVITIES. A passenger transportation permit authorizes the permit holder to sell or serve the types of alcoholic beverages specifically authorized by this chapter.

(b) Section 48.04, Alcoholic Beverage Code, as effective September 1, 2021, is amended to conform to Chapter 230 (H.B. 2196), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsection (e) to read as follows:

(e) This subsection applies only to a passenger train operated by or on behalf of the Texas State Railroad Authority. An alcoholic beverage purchased by a consumer on a passenger train for present consumption may be removed from the train for consumption on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority. An alcoholic beverage in an open container purchased by a consumer on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority may be consumed on a passenger train.

(c) Section 108.82(b), Alcoholic Beverage Code, as amended by Chapter 230 (H.B. 2196), Acts of the 86th Legislature, Regular Session, 2019, is amended to read as follows:

(b) Notwithstanding Section 28.10, the concessionaire for a

1 public entertainment facility described by Subsection (a) may allow
2 a patron who possesses an alcoholic beverage to enter or leave a
3 licensed or permitted premises within the facility if the alcoholic
4 beverage:

5 (1) is in an open container, as defined by Section
6 [49.031](#), Penal Code;

7 (2) appears to be possessed for present consumption;

8 (3) except as provided by Section [48.04\(e\)](#) [~~48.01(b)~~],
9 remains within the confines of the facility, excluding a parking
10 lot; and

11 (4) was purchased legally at a licensed or permitted
12 premises within the facility.

13 SECTION 2.002. Subsection (h), Section [74.01](#), Alcoholic
14 Beverage Code, as added by Chapter 434 (S.B. 1232), Acts of the 86th
15 Legislature, Regular Session, 2019, is redesignated as Subsection
16 (f), Section [74.01](#), Alcoholic Beverage Code, and amended to conform
17 to Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular
18 Session, 2019, to read as follows:

19 (f) [~~(h)~~] This section does not authorize the holder of a
20 brewpub license who also holds a wine and malt beverage [~~beer~~]
21 retailer's permit to deliver alcoholic beverages directly to
22 ultimate consumers for off-premise consumption at a location other
23 than the licensed premises.

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

25 SECTION 3.001. Section [27.010\(a\)](#), Civil Practice and
26 Remedies Code, is amended to conform to Chapter 469 (H.B. 4173),
27 Acts of the 86th Legislature, Regular Session, 2019, to read as

1 follows:

2 (a) This chapter does not apply to:

3 (1) an enforcement action that is brought in the name
4 of this state or a political subdivision of this state by the
5 attorney general, a district attorney, a criminal district
6 attorney, or a county attorney;

7 (2) a legal action brought against a person primarily
8 engaged in the business of selling or leasing goods or services, if
9 the statement or conduct arises out of the sale or lease of goods,
10 services, or an insurance product, insurance services, or a
11 commercial transaction in which the intended audience is an actual
12 or potential buyer or customer;

13 (3) a legal action seeking recovery for bodily injury,
14 wrongful death, or survival or to statements made regarding that
15 legal action;

16 (4) a legal action brought under the Insurance Code or
17 arising out of an insurance contract;

18 (5) a legal action arising from an officer-director,
19 employee-employer, or independent contractor relationship that:

20 (A) seeks recovery for misappropriation of trade
21 secrets or corporate opportunities; or

22 (B) seeks to enforce a non-disparagement
23 agreement or a covenant not to compete;

24 (6) a legal action filed under Title 1, 2, 4, or 5,
25 Family Code, or an application for a protective order under
26 Subchapter A, Chapter 7B [~~7A~~], Code of Criminal Procedure;

27 (7) a legal action brought under Chapter 17, Business

1 & Commerce Code, other than an action governed by Section 17.49(a)
2 of that chapter;

3 (8) a legal action in which a moving party raises a
4 defense pursuant to Section 160.010, Occupations Code, Section
5 161.033, Health and Safety Code, or the Health Care Quality
6 Improvement Act of 1986 (42 U.S.C. 11101 et seq.);

7 (9) an eviction suit brought under Chapter 24,
8 Property Code;

9 (10) a disciplinary action or disciplinary proceeding
10 brought under Chapter 81, Government Code, or the Texas Rules of
11 Disciplinary Procedure;

12 (11) a legal action brought under Chapter 554,
13 Government Code; or

14 (12) a legal action based on a common law fraud claim.

15 SECTION 3.002. Section 144.010, Civil Practice and Remedies
16 Code, is repealed as executed.

17 ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

18 SECTION 4.001. Article 2.26(c), Code of Criminal Procedure,
19 is amended to correct a reference to read as follows:

20 (c) This section does not preclude any symbol from being
21 valid as a signature under other applicable law, including Section
22 1.201(b)(37) [~~1.201(39)~~], Business & Commerce Code.

23 SECTION 4.002. (a) The heading to Subchapter A, Chapter 7B,
24 Code of Criminal Procedure, is amended to conform to Chapter 955
25 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to
26 read as follows:

27 SUBCHAPTER A. PROTECTIVE ORDER FOR VICTIMS OF SEXUAL ASSAULT OR

1 ABUSE, INDECENT ASSAULT, STALKING, OR TRAFFICKING

2 (b) Article 7B.001, Code of Criminal Procedure, is amended
3 to conform to Chapters 955 (S.B. 194) and 1066 (H.B. 1343), Acts of
4 the 86th Legislature, Regular Session, 2019, by amending Subsection
5 (a) and adding Subsections (a-1) and (a-2) to read as follows:

6 (a) The following persons may file an application for a
7 protective order under this subchapter without regard to the
8 relationship between the applicant and the alleged offender:

9 (1) a person who is the victim of an offense under
10 Section 21.02, 21.11, 22.011, 22.012, 22.021, or 42.072, Penal
11 Code;

12 (2) a person who is the victim of an offense under
13 Section 20A.02, 20A.03, or 43.05, Penal Code;

14 (3) a parent or guardian acting on behalf of a person
15 younger than 17 years of age who is the victim of an offense listed
16 in Subdivision (1);

17 (4) a parent or guardian acting on behalf of a person
18 younger than 18 years of age who is the victim of an offense listed
19 in Subdivision (2); or

20 (5) a prosecuting attorney acting on behalf of a
21 person described by Subdivision (1), (2), (3), or (4).

22 (a-1) Except as provided by Subsection (a-2), if an
23 application has not yet been filed in the case under Subsection (a),
24 the attorney representing the state shall promptly file an
25 application for a protective order with respect to each victim of an
26 offense listed in Subdivision (1) or (2) of that subsection
27 following the offender's conviction of or placement on deferred

1 adjudication community supervision for the offense.

2 (a-2) The attorney representing the state may not file an
3 application under Subsection (a-1) with respect to a victim who is
4 at least 18 years of age if the victim requests that the attorney
5 representing the state not file the application.

6 (c) Article 7B.002, Code of Criminal Procedure, is amended
7 to conform to Chapter 955 (S.B. 194), Acts of the 86th Legislature,
8 Regular Session, 2019, to read as follows:

9 Art. 7B.002. TEMPORARY EX PARTE ORDER. If the court finds
10 from the information contained in an application for a protective
11 order that there is a clear and present danger of sexual assault or
12 abuse, indecent assault, stalking, trafficking, or other harm to
13 the applicant, the court, without further notice to the alleged
14 offender and without a hearing, may issue a temporary ex parte order
15 for the protection of the applicant or any other member of the
16 applicant's family or household.

17 (d) Article 7B.003, Code of Criminal Procedure, is amended
18 to conform to Chapters 955 (S.B. 194) and 1066 (H.B. 1343), Acts of
19 the 86th Legislature, Regular Session, 2019, by amending Subsection
20 (a) and adding Subsection (c) to read as follows:

21 (a) At the close of a hearing on an application for a
22 protective order under this subchapter, the court shall find
23 whether there are reasonable grounds to believe that the applicant
24 is the victim of sexual assault or abuse, indecent assault,
25 stalking, or trafficking.

26 (c) An offender's conviction of or placement on deferred
27 adjudication community supervision for an offense listed in Article

1 7B.001(a)(1) or (2) constitutes reasonable grounds under
2 Subsection (a).

3 (e) Article 7B.004, Code of Criminal Procedure, is amended
4 to conform to Chapter 955 (S.B. 194), Acts of the 86th Legislature,
5 Regular Session, 2019, to read as follows:

6 Art. 7B.004. HEARSAY STATEMENT OF CHILD VICTIM. In a
7 hearing on an application for a protective order under this
8 subchapter, a statement that is made by a child younger than 14
9 years of age who is the victim of an offense under Section 21.02,
10 21.11, 22.011, 22.012, or 22.021, Penal Code, and that describes
11 the offense committed against the child is admissible as evidence
12 in the same manner that a child's statement regarding alleged abuse
13 against the child is admissible under Section 104.006, Family Code,
14 in a suit affecting the parent-child relationship.

15 (f) Article 7B.007, Code of Criminal Procedure, is amended
16 to conform to Chapter 1066 (H.B. 1343), Acts of the 86th
17 Legislature, Regular Session, 2019, by adding Subsection (a-1) to
18 read as follows:

19 (a-1) The court shall issue a protective order effective for
20 the duration of the lives of the offender and victim if the offender
21 is:

22 (1) convicted of or placed on deferred adjudication
23 community supervision for an offense listed in Article 7B.001(a)(1)
24 or (2); and

25 (2) required under Chapter 62 to register for life as a
26 sex offender.

27 (g) The following provisions are repealed:

1 (1) Section 2, Chapter 955 (S.B. 194), Acts of the 86th
2 Legislature, Regular Session, 2019, which amended the heading to
3 Chapter 7A, Code of Criminal Procedure;

4 (2) Section 3, Chapter 955 (S.B. 194), and Section 1,
5 Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular
6 Session, 2019, which amended Article 7A.01, Code of Criminal
7 Procedure;

8 (3) Section 4, Chapter 955 (S.B. 194), Acts of the 86th
9 Legislature, Regular Session, 2019, which amended Article 7A.02,
10 Code of Criminal Procedure;

11 (4) Section 5, Chapter 955 (S.B. 194), and Section 2,
12 Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular
13 Session, 2019, which amended Article 7A.03, Code of Criminal
14 Procedure;

15 (5) Section 6, Chapter 955 (S.B. 194), Acts of the 86th
16 Legislature, Regular Session, 2019, which amended Article 7A.035,
17 Code of Criminal Procedure; and

18 (6) Section 3, Chapter 1066 (H.B. 1343), Acts of the
19 86th Legislature, Regular Session, 2019, which amended Article
20 7A.07, Code of Criminal Procedure.

21 SECTION 4.003. Article 16.22(c), Code of Criminal
22 Procedure, as amended by Chapters 582 (S.B. 362) and 1276 (H.B.
23 601), Acts of the 86th Legislature, Regular Session, 2019, is
24 reenacted to read as follows:

25 (c) After the trial court receives the applicable expert's
26 written report relating to the defendant under Subsection (b-1) or
27 elects to use the results of a previous determination as described

1 by Subsection (a)(2), the trial court may, as applicable:

2 (1) resume criminal proceedings against the
3 defendant, including any appropriate proceedings related to the
4 defendant's release on personal bond under Article 17.032 if the
5 defendant is being held in custody;

6 (2) resume or initiate competency proceedings, if
7 required, as provided by Chapter 46B;

8 (3) consider the written report during the punishment
9 phase after a conviction of the offense for which the defendant was
10 arrested, as part of a presentence investigation report, or in
11 connection with the impositions of conditions following placement
12 on community supervision, including deferred adjudication
13 community supervision;

14 (4) refer the defendant to an appropriate specialty
15 court established or operated under Subtitle K, Title 2, Government
16 Code; or

17 (5) if the offense charged does not involve an act,
18 attempt, or threat of serious bodily injury to another person,
19 release the defendant on bail while charges against the defendant
20 remain pending and enter an order transferring the defendant to the
21 appropriate court for court-ordered outpatient mental health
22 services under Chapter 574, Health and Safety Code.

23 SECTION 4.004. Section 4, Article 42.01, Code of Criminal
24 Procedure, is amended to correct a typographical error to read as
25 follows:

26 Sec. 4. The Office of Court Administration of the Texas
27 Judicial System shall promulgate a standardized felony judgment

1 form that conforms to the requirements of Section 1 of this article.
2 A court entering a felony judgment [~~judgement~~] shall use the form
3 promulgated under this section.

4 SECTION 4.005. Article 42A.102(b), Code of Criminal
5 Procedure, as amended by Chapters 1137 (H.B. 2758) and 1298 (H.B.
6 3582), Acts of the 86th Legislature, Regular Session, 2019, is
7 reenacted and amended to read as follows:

8 (b) In all other cases, the judge may grant deferred
9 adjudication community supervision unless:

10 (1) the defendant is charged with an offense:

11 (A) under Section 20A.02, ~~or~~ 20A.03, ~~or~~
12 49.045, 49.05, 49.065, 49.07, or 49.08, Penal Code;

13 (B) under Section 49.04 or 49.06, Penal Code,
14 and, at the time of the offense:

15 (i) the defendant held a commercial
16 driver's license or a commercial learner's permit; or

17 (ii) the defendant's alcohol concentration,
18 as defined by Section 49.01, Penal Code, was 0.15 or more;

19 (C) for which punishment may be increased under
20 Section 49.09, Penal Code; or

21 (D) for which punishment may be increased under
22 Section 481.134(c), (d), (e), or (f), Health and Safety Code, if it
23 is shown that the defendant has been previously convicted of an
24 offense for which punishment was increased under any one of those
25 subsections;

26 (2) the defendant:

27 (A) is charged with an offense under Section

1 21.11, 22.011, 22.021, 43.04, or 43.05, Penal Code, regardless of
2 the age of the victim, or a felony described by Article 42A.453(b),
3 other than a felony described by Subdivision (1)(A) or (3)(B) of
4 this subsection; and

5 (B) has previously been placed on community
6 supervision for an offense under Paragraph (A);

7 (3) the defendant is charged with an offense under:

8 (A) Section 21.02, Penal Code; or

9 (B) Section 22.021, Penal Code, that is
10 punishable under Subsection (f) of that section or under Section
11 12.42(c)(3) or (4), Penal Code; or

12 (4) the defendant is charged with an offense under
13 Section 19.02, Penal Code, except that the judge may grant deferred
14 adjudication community supervision on determining that the
15 defendant did not cause the death of the deceased, did not intend to
16 kill the deceased or another, and did not anticipate that a human
17 life would be taken.

18 SECTION 4.006. Article 42A.408(e-1), Code of Criminal
19 Procedure, is amended to conform to Chapter 1094 (H.B. 2048), Acts
20 of the 86th Legislature, Regular Session, 2019, to read as follows:

21 (e-1) Except as provided by Subsection (e-2), a judge
22 granting deferred adjudication community supervision to a
23 defendant for an offense under Section 49.04 or 49.06, Penal Code,
24 shall require that the defendant as a condition of community
25 supervision have an ignition interlock device installed on the
26 motor vehicle owned by the defendant or on the vehicle most
27 regularly driven by the defendant and that the defendant not

1 operate any motor vehicle that is not equipped with that device. If
2 the judge determines that the defendant is unable to pay for the
3 ignition interlock device, the judge may impose a reasonable
4 payment schedule, as provided by Subsection (f). If the defendant
5 provides the court evidence under Section 709.001 [~~708.158~~],
6 Transportation Code, sufficient to establish that the defendant is
7 indigent for purposes of that section, the judge may enter in the
8 record a finding that the defendant is indigent and reduce the costs
9 to the defendant by ordering a waiver of the installation charge for
10 the ignition interlock device and a 50 percent reduction of the
11 monthly device monitoring fee. A reduction in costs ordered under
12 this subsection does not apply to any fees that may be assessed
13 against the defendant if the ignition interlock device detects
14 ethyl alcohol on the breath of the person attempting to operate the
15 motor vehicle.

16 SECTION 4.007. (a) Article 56A.001, Code of Criminal
17 Procedure, is amended to conform to Section 1, Chapter 1037 (H.B.
18 616), Acts of the 86th Legislature, Regular Session, 2019, by
19 adding Subdivision (6-a) to read as follows:

20 (6-a) "Sexual assault examiner" and "sexual assault
21 nurse examiner" have the meanings assigned by Section 420.003,
22 Government Code.

23 (b) Section 1, Chapter 1037 (H.B. 616), Acts of the 86th
24 Legislature, Regular Session, 2019, which amended Article 56.01,
25 Code of Criminal Procedure, is repealed.

26 SECTION 4.008. (a) The heading to Article 56A.052, Code of
27 Criminal Procedure, is amended to conform to Section 8, Chapter 955

1 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to
2 read as follows:

3 Art. 56A.052. ADDITIONAL RIGHTS OF VICTIMS OF SEXUAL
4 ASSAULT, INDECENT ASSAULT, STALKING, OR TRAFFICKING.

5 (b) Section 8, Chapter 955 (S.B. 194), Acts of the 86th
6 Legislature, Regular Session, 2019, which amended the heading to
7 Article 56.021, Code of Criminal Procedure, is repealed.

8 SECTION 4.009. (a) Article 56A.052, Code of Criminal
9 Procedure, is amended to conform to Section 4.02, Chapter 413 (S.B.
10 20), Section 2, Chapter 529 (S.B. 1801), Section 9, Chapter 955
11 (S.B. 194), and Section 2, Chapter 1037 (H.B. 616), Acts of the 86th
12 Legislature, Regular Session, 2019, by amending Subsections (a) and
13 (d) and adding Subsection (e) to read as follows:

14 (a) If the offense is a sexual assault, a victim, guardian
15 of a victim, or close relative of a deceased victim is entitled to
16 the following rights within the criminal justice system:

17 (1) if requested, the right to a disclosure of
18 information regarding:

19 (A) any evidence that was collected during the
20 investigation of the offense, unless disclosing the information
21 would interfere with the investigation or prosecution of the
22 offense, in which event the victim, guardian, or relative shall be
23 informed of the estimated date on which that information is
24 expected to be disclosed; and

25 (B) the status of any analysis being performed of
26 any evidence described by Paragraph (A);

27 (2) if requested, the right to be notified:

1 (A) at the time a request is submitted to a crime
2 laboratory to process and analyze any evidence that was collected
3 during the investigation of the offense;

4 (B) at the time of the submission of a request to
5 compare any biological evidence collected during the investigation
6 of the offense with DNA profiles maintained in a state or federal
7 DNA database; and

8 (C) of the results of the comparison described by
9 Paragraph (B), unless disclosing the results would interfere with
10 the investigation or prosecution of the offense, in which event the
11 victim, guardian, or relative shall be informed of the estimated
12 date on which those results are expected to be disclosed;

13 (3) if requested, the right to counseling regarding
14 acquired immune deficiency syndrome (AIDS) and human
15 immunodeficiency virus (HIV) infection; and

16 (4) for the victim, the right to:

17 (A) testing for acquired immune deficiency
18 syndrome (AIDS), human immunodeficiency virus (HIV) infection,
19 antibodies to HIV, or infection with any other probable causative
20 agent of AIDS; and

21 (B) a forensic medical examination to the extent
22 provided by Subchapters F and G if, within 120 [~~96~~] hours of the
23 offense:

24 (i) the offense is reported to a law
25 enforcement agency; or

26 (ii) a forensic medical examination is
27 otherwise conducted at a health care facility.

1 (d) This subsection applies only to a victim of an offense
2 under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.012,
3 22.021, 42.072, or 43.05, Penal Code. A victim described by this
4 subsection or a parent or guardian of the victim is entitled to the
5 following rights within the criminal justice system:

6 (1) the right to be informed:

7 (A) that the victim or the victim's parent or
8 guardian, as applicable, may file an application for a protective
9 order under Article 7B.001;

10 (B) of the court in which the application for a
11 protective order may be filed; and

12 (C) that, on request of the victim or of the
13 victim's parent or guardian, as applicable, and subject to the
14 Texas Disciplinary Rules of Professional Conduct, the attorney
15 representing the state may file the application for a protective
16 order on behalf of the victim;

17 (2) the right to request that the attorney
18 representing the state, subject to the Texas Disciplinary Rules of
19 Professional Conduct, file an application for a protective order
20 described by Subdivision (1);

21 (3) if the victim or the victim's parent or guardian,
22 as applicable, is present when the defendant is convicted or placed
23 on deferred adjudication community supervision, the right to:

24 (A) be given by the court the information
25 described by Subdivision (1); and

26 (B) file an application for a protective order
27 under Article 7B.001 immediately following the defendant's

1 conviction or placement on deferred adjudication community
2 supervision if the court has jurisdiction over the application; and

3 (4) if the victim or the victim's parent or guardian,
4 as applicable, is not present when the defendant is convicted or
5 placed on deferred adjudication community supervision, the right to
6 be given by the attorney representing the state the information
7 described by Subdivision (1).

8 (e) A victim of an offense under Section 20A.02, 20A.03, or
9 43.05, Penal Code, is entitled to be informed that the victim may
10 petition for an order of nondisclosure of criminal history record
11 information under Section 411.0728, Government Code, if the victim:

12 (1) has been convicted of or placed on deferred
13 adjudication community supervision for an offense described by
14 Subsection (a)(1) of that section; and

15 (2) committed that offense solely as a victim of an
16 offense under Section 20A.02, 20A.03, or 43.05, Penal Code.

17 (b) Section 4.02, Chapter 413 (S.B. 20), Section 2, Chapter
18 529 (S.B. 1801), Section 9, Chapter 955 (S.B. 194), and Section 2,
19 Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular
20 Session, 2019, which amended Article 56.021, Code of Criminal
21 Procedure, are repealed.

22 SECTION 4.010. (a) Subchapter F, Chapter 56A, Code of
23 Criminal Procedure, is amended to conform to Section 3, Chapter
24 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session,
25 2019, by adding Articles 56A.2505 and 56A.256 to read as follows:

26 Art. 56A.2505. APPLICABILITY. This subchapter applies to
27 health care facilities described by Article 56A.302.

1 Art. 56A.256. RULES. The attorney general shall adopt
2 rules necessary to implement this subchapter.

3 (b) Article 56A.251, Code of Criminal Procedure, is amended
4 to conform to Section 3, Chapter 1037 (H.B. 616), Acts of the 86th
5 Legislature, Regular Session, 2019, by amending Subsection (a) and
6 adding Subsection (d) to read as follows:

7 (a) Except as provided by Subsection (b), if a sexual
8 assault is reported to a law enforcement agency within 120 [~~96~~]
9 hours after the assault, the law enforcement agency, with the
10 consent of the victim of the alleged assault, a person authorized to
11 act on behalf of the victim, or an employee of the Department of
12 Family and Protective Services, shall request a forensic medical
13 examination of the victim for use in the investigation or
14 prosecution of the offense.

15 (d) If a sexual assault is reported to a law enforcement
16 agency as provided by Subsection (a) or (c), the law enforcement
17 agency shall document, in the form and manner required by the
18 attorney general, whether the agency requested a forensic medical
19 examination. The law enforcement agency shall:

20 (1) provide the documentation of the agency's decision
21 regarding a request for a forensic medical examination to:

22 (A) the health care facility and the sexual
23 assault examiner or sexual assault nurse examiner, as applicable,
24 who provides services to the victim that are related to the sexual
25 assault; and

26 (B) the victim or the person who consented to the
27 forensic medical examination on behalf of the victim; and

1 (2) maintain the documentation of the agency's
2 decision in accordance with the agency's record retention policies.

3 (c) Article 56A.252, Code of Criminal Procedure, is amended
4 to conform to Sections 3 and 8, Chapter 1037 (H.B. 616), Acts of the
5 86th Legislature, Regular Session, 2019, to read as follows:

6 Art. 56A.252. PAYMENT OF COSTS OF EXAMINATION. (a) [~~A law~~
7 ~~enforcement agency that requests a forensic medical examination~~
8 ~~under Article 56A.251 shall pay all costs of the examination.~~] On
9 application to the attorney general, a health care facility that
10 provides a forensic medical examination to a sexual assault
11 survivor in accordance with this subchapter, or the [~~law~~
12 ~~enforcement agency is entitled to be reimbursed for the reasonable~~
13 ~~costs of the examination if the examination was performed by a~~
14 ~~physician or by a~~] sexual assault examiner or sexual assault nurse
15 examiner who conducts that examination, as applicable, is entitled
16 to be reimbursed in an amount set by attorney general rule for:

17 (1) the reasonable costs of the forensic portion of
18 that examination; and

19 (2) the evidence collection kit [~~defined by Section~~
20 ~~420.003, Government Code~~].

21 (b) The application under Subsection (a) must be in the form
22 and manner prescribed by the attorney general and must include:

23 (1) the documentation that the law enforcement agency
24 requested the forensic medical examination, as required under
25 Article 56A.251(d); and

26 (2) a complete and itemized bill of the reasonable
27 costs of the forensic portion of the examination.

1 (c) A health care facility or a sexual assault examiner or
2 sexual assault nurse examiner, as applicable, who applies for
3 reimbursement under Subsection (a) shall accept reimbursement from
4 the attorney general as payment for the costs unless:

5 (1) the health care facility or sexual assault
6 examiner or sexual assault nurse examiner, as applicable:

7 (A) requests, in writing, additional
8 reimbursement from the attorney general; and

9 (B) provides documentation in support of the
10 additional reimbursement, as reasonably requested by the attorney
11 general; and

12 (2) the attorney general determines that there is a
13 reasonable justification for additional reimbursement.

14 (d) A health care facility is not entitled to reimbursement
15 under this article unless the forensic medical examination was
16 conducted at the facility by a physician, sexual assault examiner,
17 or sexual assault nurse examiner.

18 (e) On request, the attorney general may provide training to
19 a health care facility regarding the process for applying for
20 reimbursement under this article.

21 (d) Section 3, Chapter 1037 (H.B. 616), Acts of the 86th
22 Legislature, Regular Session, 2019, which amended Article 56.06,
23 Code of Criminal Procedure, is repealed.

24 SECTION 4.011. Article 56A.301(3), Code of Criminal
25 Procedure, is repealed to conform to the repeal of Article
26 56.065(a)(3), Code of Criminal Procedure, by Section 8, Chapter
27 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session,

1 2019.

2 SECTION 4.012. (a) Article 56A.303(a), Code of Criminal
3 Procedure, is amended to conform to Section 4, Chapter 1037 (H.B.
4 616), Acts of the 86th Legislature, Regular Session, 2019, to read
5 as follows:

6 (a) In accordance with Subchapter B, Chapter 420,
7 Government Code, and except as provided by Subsection (b), a health
8 care facility shall conduct a forensic medical examination of a
9 victim of an alleged sexual assault if:

10 (1) the victim arrives at the facility within 120 [~~96~~]
11 hours after the assault occurred;

12 (2) the victim consents to the examination; and

13 (3) at the time of the examination the victim has not
14 reported the assault to a law enforcement agency.

15 (b) Article 56A.304, Code of Criminal Procedure, is amended
16 to conform to Sections 4 and 8, Chapter 1037 (H.B. 616), Acts of the
17 86th Legislature, Regular Session, 2019, to read as follows:

18 Art. 56A.304. PAYMENT OF FEES RELATED TO EXAMINATION. (a)
19 On application to the [~~The department shall pay the appropriate~~
20 ~~fees, as set by~~] attorney general [~~rule~~], a health care facility
21 that provides [~~for the forensic portion of~~] a forensic medical
22 examination to a sexual assault survivor in accordance with this
23 subchapter, or the [~~conducted under Article 56A.303(a) and for the~~
24 ~~evidence collection kit if a physician,~~] sexual assault examiner
25 [~~7~~] or sexual assault nurse examiner who conducts that [~~the~~
26 ~~forensic portion of the~~] examination, as applicable, within 120
27 [~~96~~] hours after the alleged sexual assault occurred is entitled to

1 be reimbursed in an amount set by attorney general rule for:

2 (1) the reasonable costs of the forensic portion of
3 that examination; and

4 (2) the evidence collection kit.

5 (b) The application under Subsection (a) must be in the form
6 and manner prescribed by the attorney general and must include:

7 (1) certification that the examination was conducted
8 in accordance with the requirements of Article 56A.303(a); and

9 (2) a complete and itemized bill of the reasonable
10 costs of the forensic portion of the examination [~~attorney general~~
11 ~~shall reimburse the department for fees paid under Subsection (a)].~~

12 (c) A health care facility or a sexual assault examiner or
13 sexual assault nurse examiner, as applicable, who applies for
14 reimbursement under Subsection (a) shall accept reimbursement from
15 the attorney general as payment for the costs unless:

16 (1) the health care facility or sexual assault
17 examiner or sexual assault nurse examiner, as applicable:

18 (A) requests, in writing, additional
19 reimbursement from the attorney general; and

20 (B) provides documentation in support of the
21 additional reimbursement, as reasonably requested by the attorney
22 general; and

23 (2) the attorney general determines that there is a
24 reasonable justification for additional reimbursement.

25 (d) A health care facility is not entitled to reimbursement
26 under this article unless the forensic medical examination was
27 conducted at the facility by a physician, sexual assault examiner,

1 or sexual assault nurse examiner.

2 (e) On request, the attorney general may provide training to
3 a health care facility regarding the process for applying for
4 reimbursement under this article.

5 (f) A victim of an alleged sexual assault may not be
6 required to pay for:

7 (1) the forensic portion of the forensic medical
8 examination; or

9 (2) the evidence collection kit.

10 (c) Section 4, Chapter 1037 (H.B. 616), Acts of the 86th
11 Legislature, Regular Session, 2019, which amended Article 56.065,
12 Code of Criminal Procedure, is repealed.

13 SECTION 4.013. (a) Article 56A.306, Code of Criminal
14 Procedure, is amended to conform to Section 4, Chapter 408 (H.B. 8),
15 Acts of the 86th Legislature, Regular Session, 2019, to read as
16 follows:

17 Art. 56A.306. PROCEDURES FOR TRANSFER AND PRESERVATION OF
18 EVIDENCE. (a) The department, consistent with Chapter 420,
19 Government Code, shall develop procedures for:

20 (1) the transfer [~~and preservation~~] of evidence
21 collected under this subchapter to a crime laboratory or other
22 suitable location designated by the public safety director of the
23 department;

24 (2) the preservation of the evidence by the entity
25 receiving the evidence; and

26 (3) the notification of the victim of the offense
27 before a planned destruction of evidence under this article.

1 (b) Subject to Subsection (c), an [An] entity receiving
2 [the] evidence described by Subsection (a) shall preserve the
3 evidence until the earlier of:

4 (1) the fifth [~~second~~] anniversary of the date on
5 which the evidence was collected; or

6 (2) the date on which written consent to release the
7 evidence is obtained as provided by Section 420.0735, Government
8 Code.

9 (c) An entity receiving evidence described by Subsection
10 (a) may destroy the evidence on the expiration of the entity's duty
11 to preserve the evidence under Subsection (b)(1) only if:

12 (1) the entity provides written notification to the
13 victim of the offense, in a trauma-informed manner, of the decision
14 to destroy the evidence that includes:

15 (A) detailed instructions on how the victim may
16 make a written objection to the decision, including contact
17 information for the entity; or

18 (B) a standard form for the victim to complete
19 and return to the entity to make a written objection to the
20 decision; and

21 (2) a written objection is not received by the entity
22 from the victim before the 91st day after the date on which the
23 entity notifies the victim of the planned destruction of the
24 evidence.

25 (d) The entity shall document the entity's attempt to notify
26 the victim under Subsection (c).

27 (b) Section 4, Chapter 408 (H.B. 8), Acts of the 86th

1 Legislature, Regular Session, 2019, which amended Article 56.065,
2 Code of Criminal Procedure, is repealed.

3 SECTION 4.014. (a) Article 56B.003(13), Code of Criminal
4 Procedure, is amended to conform to Section 3.06, Chapter 413 (S.B.
5 20), Acts of the 86th Legislature, Regular Session, 2019, to read as
6 follows:

7 (13) "Trafficking of persons" means any offense that
8 results in a person engaging in forced labor or services, including
9 sexual conduct, and that may be prosecuted under Section 20A.02,
10 20A.03, 43.03, 43.031, 43.04, 43.041, 43.05, 43.25, 43.251, or
11 43.26, Penal Code.

12 (b) Section 3.06, Chapter 413 (S.B. 20), Acts of the 86th
13 Legislature, Regular Session, 2019, which amended Article
14 56.32(a)(14), Code of Criminal Procedure, is repealed.

15 SECTION 4.015. (a) Article 56B.106(c), Code of Criminal
16 Procedure, is amended to conform to Section 1, Chapter 187 (H.B.
17 2079), Acts of the 86th Legislature, Regular Session, 2019, to read
18 as follows:

19 (c) A [~~victim who is a~~] victim of stalking, family violence,
20 or trafficking of persons, [~~or~~] a victim of sexual assault who is
21 assaulted in the victim's place of residence, or a child who is a
22 victim of a murder attempt in the child's place of residence may
23 receive a one-time assistance payment in an amount not to exceed:

24 (1) \$2,000 to be used for relocation expenses,
25 including expenses for rental deposit, utility connections,
26 expenses relating to moving belongings, motor vehicle mileage
27 expenses, and for an out-of-state move, transportation, lodging,

1 and meals; and

2 (2) \$1,800 to be used for housing rental expenses.

3 (b) Section 1, Chapter 187 (H.B. 2079), Acts of the 86th
4 Legislature, Regular Session, 2019, which amended Article
5 56.42(d), Code of Criminal Procedure, is repealed.

6 SECTION 4.016. (a) Article 56B.453(d), Code of Criminal
7 Procedure, is amended to conform to Section 5, Chapter 1037 (H.B.
8 616), Acts of the 86th Legislature, Regular Session, 2019, to read
9 as follows:

10 (d) The attorney general may use the fund to:

11 (1) reimburse a health care facility or a sexual
12 assault examiner or sexual assault nurse examiner for certain costs
13 of a forensic medical examination that are incurred by the facility
14 or the examiner [~~law enforcement agency for the reasonable costs of~~
15 ~~a forensic medical examination that are incurred by the agency]~~
16 under Subchapter F or G, Chapter 56A, as provided by those
17 subchapters; and

18 (2) make a payment to or on behalf of an individual for
19 the reasonable costs incurred for medical care provided under
20 Subchapter F or G, Chapter 56A, in accordance with Section 323.004,
21 Health and Safety Code.

22 (b) Section 5, Chapter 1037 (H.B. 616), Acts of the 86th
23 Legislature, Regular Session, 2019, which amended Article
24 56.54(k), Code of Criminal Procedure, is repealed.

25 SECTION 4.017. (a) Article 58.051(11), Code of Criminal
26 Procedure, is amended to conform to Section 3.07, Chapter 413 (S.B.
27 20), Acts of the 86th Legislature, Regular Session, 2019, to read as

1 follows:

2 (11) "Trafficking of persons" means any conduct that:

3 (A) constitutes an offense under Section 20A.02,
4 20A.03, 43.03, 43.031, 43.04, 43.041, 43.05, 43.25, 43.251, or
5 43.26, Penal Code; and

6 (B) results in a person:

7 (i) engaging in forced labor or services;

8 or

9 (ii) otherwise becoming a victim of the
10 offense.

11 (b) Section 3.07, Chapter 413 (S.B. 20), Acts of the 86th
12 Legislature, Regular Session, 2019, which amended Article
13 56.81(7), Code of Criminal Procedure, is repealed.

14 SECTION 4.018. Article 102.0173, Code of Criminal
15 Procedure, as amended by Chapters 656 (S.B. 1840) and 1352 (S.B.
16 346), Acts of the 86th Legislature, Regular Session, 2019, is
17 reenacted and amended to read as follows:

18 Art. 102.0173. JUSTICE COURT ASSISTANCE AND TECHNOLOGY
19 FUND. (a) The justice court assistance and technology fund is a
20 fund in the county treasury. The fund consists of money allocated
21 to the fund under Section 134.103, Local Government Code.

22 (b) Money in the justice court assistance and technology
23 fund may be used only to finance:

24 (1) the cost of providing court personnel, including
25 salaries and benefits for the court personnel;

26 (2) the cost of continuing education and training for
27 justice court judges and court personnel; and

1 (3) the purchase and maintenance of technological
2 enhancements for a justice court, including:

- 3 (A) computer systems;
- 4 (B) computer networks;
- 5 (C) computer hardware;
- 6 (D) computer software;
- 7 (E) imaging systems;
- 8 (F) electronic kiosks;
- 9 (G) electronic ticket writers; and
- 10 (H) docket management systems.

11 (c) The justice court assistance and technology fund shall
12 be administered by or under the direction of the commissioners
13 court of the county.

14 (d) A justice court may, subject to the approval of the
15 commissioners court, use a fund designated by this article to
16 assist a constable's office or other county department with a
17 technological enhancement, or cost related to the enhancement,
18 described by Subsection (b)(3) [~~(d)(3)~~] if the enhancement directly
19 relates to the operation or efficiency of the justice court.

20 SECTION 4.019. Article [102.020](#)(a), Code of Criminal
21 Procedure, as amended by Chapter 1285 (H.B. 1399), Acts of the 86th
22 Legislature, Regular Session, 2019, is repealed to conform to the
23 repeal of Article [102.020](#), Code of Criminal Procedure, by Chapter
24 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session,
25 2019.

26 SECTION 4.020. Article [102.022](#)(a), Code of Criminal
27 Procedure, as amended by Chapter 1094 (H.B. 2048), Acts of the 86th

1 Legislature, Regular Session, 2019, is repealed to conform to the
2 repeal of Article 102.022, Code of Criminal Procedure, by Chapter
3 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session,
4 2019.

5 SECTION 4.021. Article 102.030(b), Code of Criminal
6 Procedure, is amended to correct a reference to read as follows:

7 (b) The treasurer shall deposit the reimbursement fees
8 collected under this article [~~section~~] in a separate account in the
9 general fund of the county or municipality to be used for the
10 purpose of improving the collection of outstanding court costs,
11 fines, reimbursement fees, or restitution or improving the
12 efficiency of the administration of justice in the county or
13 municipality. The county or municipality shall prioritize the
14 needs of the judicial officer who collected the fees when making
15 expenditures under this subsection and use the money deposited to
16 provide for those needs.

17 ARTICLE 5. CHANGES RELATING TO EDUCATION CODE

18 SECTION 5.001. Section 8.155(a), Education Code, is amended
19 to correct a reference to read as follows:

20 (a) A non-physician mental health professional employed
21 under Section 8.152 shall, to the greatest extent possible, work
22 collaboratively with the regional education service center and
23 shall act as a resource for the center and school district personnel
24 by:

25 (1) helping personnel gain awareness and a better
26 understanding of mental health and co-occurring mental health and
27 substance use disorders;

1 (2) assisting personnel to implement initiatives
2 related to mental health or substance use under state law or agency
3 rules, interagency memorandums of understanding, and related
4 programs;

5 (3) ensuring personnel are aware of:

6 (A) the list of recommended best practice-based
7 programs and research-based practices developed under Section
8 38.351 [~~Section 161.325, Health and Safety Code~~];

9 (B) other public and private mental health and
10 substance use prevention, treatment, and recovery programs
11 available in the school district, including evidence-based
12 programs provided by a local mental health authority and other
13 public or private mental health providers; and

14 (C) other available public and private mental
15 health and substance use prevention, treatment, and recovery
16 program resources administered by the local mental health authority
17 or the Health and Human Services Commission to support school
18 districts, students, and families;

19 (4) on a monthly basis, facilitating mental health
20 first aid training;

21 (5) on a monthly basis, facilitating training
22 regarding the effects of grief and trauma and providing support to
23 children with intellectual or developmental disabilities who
24 suffer from grief or trauma; and

25 (6) on a monthly basis, facilitating training on
26 prevention and intervention programs that have been shown to be
27 effective in helping students cope with pressures to:

1 (A) use alcohol, cigarettes, or illegal drugs; or

2 (B) misuse prescription drugs.

3 SECTION 5.002. Section 11.157(b), Education Code, as added
4 by Chapter 677 (S.B. 2117), Acts of the 86th Legislature, Regular
5 Session, 2019, is amended to conform to the transfer and
6 redesignation of Section 42.2511, Education Code, by Chapter 943
7 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to
8 read as follows:

9 (b) A school district under contract with an
10 open-enrollment charter school to jointly operate a campus or
11 campus program during the 2017-2018 school year and under any
12 renewal of that contract during the 2018-2019 school year is
13 eligible to receive funding under former Section 42.2511 for each
14 student or the portion of each student's school day under the
15 direction of the open-enrollment charter school. Beginning with
16 the 2019-2020 school year, a school district is eligible to receive
17 funding under Section 48.252 on the renewal of a contract described
18 by this section. The commissioner may adopt rules to determine the
19 portion of funding a school district is entitled to under this
20 subsection.

21 SECTION 5.003. Section 12.104(b), Education Code, as
22 amended by Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170),
23 and 943 (H.B. 3), Acts of the 86th Legislature, Regular Session,
24 2019, is reenacted and amended to read as follows:

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

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

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

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

6 (A) the Public Education Information Management
7 System (PEIMS) to the extent necessary to monitor compliance with
8 this subchapter as determined by the commissioner;

9 (B) criminal history records under Subchapter C,
10 Chapter 22;

11 (C) reading instruments and accelerated reading
12 instruction programs under Section 28.006;

13 (D) accelerated instruction under Section
14 28.0211;

15 (E) high school graduation requirements under
16 Section 28.025;

17 (F) special education programs under Subchapter
18 A, Chapter 29;

19 (G) bilingual education under Subchapter B,
20 Chapter 29;

21 (H) prekindergarten programs under Subchapter E
22 or E-1, Chapter 29;

23 (I) extracurricular activities under Section
24 33.081;

25 (J) discipline management practices or behavior
26 management techniques under Section 37.0021;

27 (K) health and safety under Chapter 38;

1 (L) public school accountability under
2 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

3 (M) the requirement under Section 21.006 to
4 report an educator's misconduct;

5 (N) intensive programs of instruction under
6 Section 28.0213;

7 (O) the right of a school employee to report a
8 crime, as provided by Section 37.148;

9 (P) bullying prevention policies and procedures
10 under Section 37.0832;

11 (Q) the right of a school under Section 37.0052
12 to place a student who has engaged in certain bullying behavior in a
13 disciplinary alternative education program or to expel the student;

14 (R) the right under Section 37.0151 to report to
15 local law enforcement certain conduct constituting assault or
16 harassment;

17 (S) a parent's right to information regarding the
18 provision of assistance for learning difficulties to the parent's
19 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

20 (T) establishment of residency under Section
21 25.001;

22 (U) [~~(T)~~] school safety requirements under
23 Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115,
24 37.207, and 37.2071;

25 (V) [~~(T)~~] the early childhood literacy and
26 mathematics proficiency plans under Section 11.185; and

27 (W) [~~(U)~~] the college, career, and military

1 readiness plans under Section 11.186.

2 SECTION 5.004. Section 21.410, Education Code, as amended
3 by Chapter 439 (S.B. 1376), Acts of the 86th Legislature, Regular
4 Session, 2019, is repealed to conform to the repeal of Section
5 21.410, Education Code, by Chapter 943 (H.B. 3), Acts of the 86th
6 Legislature, Regular Session, 2019.

7 SECTION 5.005. Section 21.451(d-3), Education Code, is
8 amended to correct a reference to read as follows:

9 (d-3) The digital learning training provided by Subsection
10 (d)(1)(C) [~~(d)(1)(E)~~] must:

11 (1) discuss basic technology proficiency expectations
12 and methods to increase an educator's digital literacy; and

13 (2) assist an educator in the use of digital
14 technology in learning activities that improve teaching,
15 assessment, and instructional practices.

16 SECTION 5.006. Section 28.004(c), Education Code, as
17 amended by Chapters 331 (S.B. 435), 352 (H.B. 18), and 464 (S.B.
18 11), Acts of the 86th Legislature, Regular Session, 2019, is
19 reenacted and amended to read as follows:

20 (c) The local school health advisory council's duties
21 include recommending:

22 (1) the number of hours of instruction to be provided
23 in:

24 (A) health education in kindergarten through
25 grade eight; and

26 (B) if the school district requires health
27 education for high school graduation, health education, including

1 physical health education and mental health education, in grades 9
2 through 12;

3 (2) policies, procedures, strategies, and curriculum
4 appropriate for specific grade levels designed to prevent physical
5 health concerns, including obesity, cardiovascular disease, Type 2
6 diabetes, and mental health concerns, including suicide, through
7 coordination of:

8 (A) health education, which must address
9 physical health concerns and mental health concerns to ensure the
10 integration of physical health education and mental health
11 education;

12 (B) physical education and physical activity;

13 (C) nutrition services;

14 (D) parental involvement;

15 (E) instruction on substance abuse prevention;

16 (F) school health services, including mental
17 health services;

18 (G) a comprehensive school counseling program
19 under Section [33.005](#);

20 (H) a safe and healthy school environment; and

21 (I) school employee wellness;

22 (3) appropriate grade levels and methods of
23 instruction for human sexuality instruction;

24 (4) strategies for integrating the curriculum
25 components specified by Subdivision (2) with the following elements
26 in a coordinated school health program for the district:

27 (A) school health services, including physical

1 health services and mental health services, if provided at a campus
2 by the district or by a third party under a contract with the
3 district;

4 (B) a comprehensive school counseling program
5 under Section 33.005;

6 (C) a safe and healthy school environment; and

7 (D) school employee wellness;

8 (5) if feasible, joint use agreements or strategies
9 for collaboration between the school district and community
10 organizations or agencies; ~~and~~

11 (6) strategies to increase parental awareness
12 regarding:

13 (A) risky behaviors and early warning signs of
14 suicide risks and behavioral health concerns, including mental
15 health disorders and substance use disorders; and

16 (B) available community programs and services
17 that address risky behaviors, suicide risks, and behavioral health
18 concerns; and

19 (7) ~~(6)~~ appropriate grade levels and curriculum for
20 instruction regarding opioid addiction and abuse and methods of
21 administering an opioid antagonist, as defined by Section 483.101,
22 Health and Safety Code.

23 SECTION 5.007. Section 28.009(b-2), Education Code, as
24 amended by Chapters 264 (S.B. 1276) and 901 (H.B. 3650), Acts of the
25 86th Legislature, Regular Session, 2019, is reenacted and amended
26 to read as follows:

27 (b-2) Any agreement, including a memorandum of

1 understanding or articulation agreement, between a school district
2 and public institution of higher education to provide a dual credit
3 program described by Subsection (b-1) must:

4 (1) include specific program goals aligned with the
5 statewide goals developed under Subsection (b-1);

6 (2) establish common advising strategies and
7 terminology related to dual credit and college readiness;

8 (3) provide for the alignment of endorsements
9 described by Section 28.025(c-1) offered by the district, and dual
10 credit courses offered under the agreement that apply towards those
11 endorsements, with postsecondary pathways and credentials at the
12 institution and industry certifications;

13 (4) identify tools, including tools developed by the
14 agency, the Texas Higher Education Coordinating Board, or the Texas
15 Workforce Commission, to assist school counselors, students, and
16 families in selecting endorsements offered by the district and dual
17 credit courses offered under the agreement;

18 (5) establish, or provide a procedure for
19 establishing, the course credits that may be earned under the
20 agreement, including by developing a course equivalency crosswalk
21 or other method for equating high school courses with college
22 courses and identifying the number of credits that may be earned for
23 each course completed through the program;

24 (6) describe the academic supports and, if applicable,
25 guidance that will be provided to students participating in the
26 program;

27 (7) establish the district's and the institution's

1 respective roles and responsibilities in providing the program and
2 ensuring the quality and instructional rigor of the program;

3 (8) state the sources of funding for courses offered
4 under the program, including, at a minimum, the sources of funding
5 for tuition, transportation, and any required fees or textbooks for
6 students participating in the program;

7 (9) require the district and the institution to
8 consider the use of free or low-cost open educational resources in
9 courses offered under the program; and

10 (10) [~~(7)~~] be posted each year on the district's and
11 the institution's respective Internet websites.

12 SECTION 5.008. Section 29.081(d), Education Code, as
13 amended by Chapters 403 (S.B. 1746), 597 (S.B. 668), and 1060 (H.B.
14 1051), Acts of the 86th Legislature, Regular Session, 2019, is
15 reenacted and amended to read as follows:

16 (d) For purposes of this section, "student at risk of
17 dropping out of school" includes each student who:

18 (1) is under 26 years of age and who:

19 (A) was not advanced from one grade level to the
20 next for one or more school years;

21 (B) if the student is in grade 7, 8, 9, 10, 11, or
22 12, did not maintain an average equivalent to 70 on a scale of 100 in
23 two or more subjects in the foundation curriculum during a semester
24 in the preceding or current school year or is not maintaining such
25 an average in two or more subjects in the foundation curriculum in
26 the current semester;

27 (C) did not perform satisfactorily on an

1 assessment instrument administered to the student under Subchapter
2 B, Chapter 39, and who has not in the previous or current school
3 year subsequently performed on that instrument or another
4 appropriate instrument at a level equal to at least 110 percent of
5 the level of satisfactory performance on that instrument;

6 (D) if the student is in prekindergarten,
7 kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on
8 a readiness test or assessment instrument administered during the
9 current school year;

10 (E) is pregnant or is a parent;

11 (F) has been placed in an alternative education
12 program in accordance with Section 37.006 during the preceding or
13 current school year;

14 (G) has been expelled in accordance with Section
15 37.007 during the preceding or current school year;

16 (H) is currently on parole, probation, deferred
17 prosecution, or other conditional release;

18 (I) was previously reported through the Public
19 Education Information Management System (PEIMS) to have dropped out
20 of school;

21 (J) is a student of limited English proficiency,
22 as defined by Section 29.052;

23 (K) is in the custody or care of the Department of
24 Family and Protective Services or has, during the current school
25 year, been referred to the department by a school official, officer
26 of the juvenile court, or law enforcement official;

27 (L) is homeless;

1 (M) resided in the preceding school year or
2 resides in the current school year in a residential placement
3 facility in the district, including a detention facility, substance
4 abuse treatment facility, emergency shelter, psychiatric hospital,
5 halfway house, cottage home operation, specialized child-care
6 home, or general residential operation; or

7 (N) [~~(14)~~] has been incarcerated or has a parent
8 or guardian who has been incarcerated, within the lifetime of the
9 student, in a penal institution as defined by Section 1.07, Penal
10 Code; or

11 (2) regardless of the student's age, participates in
12 an adult education program provided under a high school diploma and
13 industry certification charter school program under Section
14 29.259.

15 SECTION 5.009. Section 29.316(c), Education Code, as added
16 by Chapter 1036 (H.B. 548), Acts of the 86th Legislature, Regular
17 Session, 2019, is amended to conform to the transfer and
18 redesignation of Section 42.151, Education Code, by Chapter 943
19 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to
20 read as follows:

21 (c) Not later than August 31 of each year, the agency, the
22 division, and the center jointly shall prepare and post on the
23 agency's, the division's, and the center's respective Internet
24 websites a report on the language acquisition of children eight
25 years of age or younger who are deaf or hard of hearing. The report
26 must:

27 (1) include:

1 (A) existing data reported in compliance with
2 federal law regarding children with disabilities; and

3 (B) information relating to the language
4 acquisition of children who are deaf or hard of hearing and also
5 have other disabilities;

6 (2) state for each child:

7 (A) the instructional arrangement used with the
8 child, as described by Section 48.102 [~~42.151~~], including the time
9 the child spends in a mainstream instructional arrangement;

10 (B) the specific language acquisition services
11 provided to the child, including:

12 (i) the time spent providing those
13 services; and

14 (ii) a description of any hearing
15 amplification used in the delivery of those services, including:

16 (a) the type of hearing amplification
17 used;

18 (b) the period of time in which the
19 child has had access to the hearing amplification; and

20 (c) the average amount of time the
21 child uses the hearing amplification each day;

22 (C) the tools or assessments used to assess the
23 child's language acquisition and the results obtained;

24 (D) the preferred unique communication mode used
25 by the child at home; and

26 (E) the child's age, race, and gender, the age at
27 which the child was identified as being deaf or hard of hearing, and

1 any other relevant demographic information the commissioner
2 determines to likely be correlated with or have an impact on the
3 child's language acquisition;

4 (3) compare progress in English literacy made by
5 children who are deaf or hard of hearing to progress in that subject
6 made by children of the same age who are not deaf or hard of hearing,
7 by appropriate age range; and

8 (4) be redacted as necessary to comply with state and
9 federal law regarding the confidentiality of student medical or
10 educational information.

11 SECTION 5.010. Sections [37.108\(b-1\)](#) and (f), Education
12 Code, are amended to correct references to read as follows:

13 (b-1) In a school district's safety and security audit
14 required under Subsection (b), the district must certify that the
15 district used the funds provided to the district through the school
16 safety allotment under Section [48.115](#) [~~[42.168](#)~~] only for the
17 purposes provided by that section.

18 (f) A school district shall include in its multihazard
19 emergency operations plan:

20 (1) a chain of command that designates the individual
21 responsible for making final decisions during a disaster or
22 emergency situation and identifies other individuals responsible
23 for making those decisions if the designated person is unavailable;

24 (2) provisions that address physical and
25 psychological safety for responding to a natural disaster, active
26 shooter, and any other dangerous scenario identified for purposes
27 of this section by the agency or the Texas School Safety Center;

1 (3) provisions for ensuring the safety of students in
2 portable buildings;

3 (4) provisions for ensuring that students and district
4 personnel with disabilities are provided equal access to safety
5 during a disaster or emergency situation;

6 (5) provisions for providing immediate notification
7 to parents, guardians, and other persons standing in parental
8 relation in circumstances involving a significant threat to the
9 health or safety of students, including identification of the
10 individual with responsibility for overseeing the notification;

11 (6) provisions for supporting the psychological
12 safety of students, district personnel, and the community during
13 the response and recovery phase following a disaster or emergency
14 situation that:

15 (A) are aligned with best practice-based
16 programs and research-based practices recommended under Section
17 38.351 [~~Section 161.325, Health and Safety Code~~];

18 (B) include strategies for ensuring any required
19 professional development training for suicide prevention and
20 grief-informed and trauma-informed care is provided to appropriate
21 school personnel;

22 (C) include training on integrating
23 psychological safety and suicide prevention strategies into the
24 district's plan, such as psychological first aid for schools
25 training, from an approved list of recommended training established
26 by the commissioner and Texas School Safety Center for:

27 (i) members of the district's school safety

1 and security committee under Section 37.109;

2 (ii) district school counselors and mental
3 health professionals; and

4 (iii) educators and other district
5 personnel as determined by the district;

6 (D) include strategies and procedures for
7 integrating and supporting physical and psychological safety that
8 align with the provisions described by Subdivision (2); and

9 (E) implement trauma-informed policies;

10 (7) a policy for providing a substitute teacher access
11 to school campus buildings and materials necessary for the
12 substitute teacher to carry out the duties of a district employee
13 during an emergency or a mandatory emergency drill; and

14 (8) the name of each individual on the district's
15 school safety and security committee established under Section
16 37.109 and the date of each committee meeting during the preceding
17 year.

18 SECTION 5.011. Section 37.115(k), Education Code, is
19 amended to correct a reference to read as follows:

20 (k) A team must report to the agency in accordance with
21 guidelines developed by the agency the following information
22 regarding the team's activities and other information for each
23 school district campus the team serves:

24 (1) the occupation of each person appointed to the
25 team;

26 (2) the number of threats and a description of the type
27 of the threats reported to the team;

1 (3) the outcome of each assessment made by the team,
2 including:

3 (A) any disciplinary action taken, including a
4 change in school placement;

5 (B) any action taken by law enforcement; or

6 (C) a referral to or change in counseling, mental
7 health, special education, or other services;

8 (4) the total number, disaggregated by student gender,
9 race, and status as receiving special education services, being at
10 risk of dropping out of school, being in foster care, experiencing
11 homelessness, being a dependent of military personnel, being
12 pregnant or a parent, having limited English proficiency, or being
13 a migratory child, of, in connection with an assessment or reported
14 threat by the team:

15 (A) citations issued for Class C misdemeanor
16 offenses;

17 (B) arrests;

18 (C) incidents of uses of restraint;

19 (D) changes in school placement, including
20 placement in a juvenile justice alternative education program or
21 disciplinary alternative education program;

22 (E) referrals to or changes in counseling, mental
23 health, special education, or other services;

24 (F) placements in in-school suspension or
25 out-of-school suspension and incidents of expulsion;

26 (G) unexcused absences of 15 or more days during
27 the school year; and

1 (H) referrals to juvenile court for truancy; and
2 (5) the number and percentage of school personnel
3 trained in:

4 (A) a best-practices program or research-based
5 practice under Section 38.351 [~~Section 161.325, Health and Safety~~
6 ~~Code~~], including the number and percentage of school personnel
7 trained in:

8 (i) suicide prevention; or

9 (ii) grief and trauma-informed practices;

10 (B) mental health or psychological first aid for
11 schools;

12 (C) training relating to the safe and supportive
13 school program established under Subsection (b); or

14 (D) any other program relating to safety
15 identified by the commissioner.

16 SECTION 5.012. Section 38.036(c), Education Code, is
17 amended to correct a reference to read as follows:

18 (c) The methods under Subsection (b)(1) for increasing
19 awareness and implementation of trauma-informed care must include
20 training as provided by this subsection. The training must be
21 provided:

22 (1) through a program selected from the list of
23 recommended best practice-based programs and research-based
24 practices established under Section 38.351 [~~Section 161.325,~~
25 ~~Health and Safety Code~~];

26 (2) as part of any new employee orientation for all new
27 school district educators; and

1 (3) to existing school district educators on a
2 schedule adopted by the agency by rule that requires educators to be
3 trained at intervals necessary to keep educators informed of
4 developments in the field.

5 SECTION 5.013. Section 38.308, Education Code, is amended
6 to correct a reference to read as follows:

7 Sec. 38.308. DUTIES OF TASK FORCE. The task force shall:

8 (1) gather data on:

9 (A) the number of students enrolled in each
10 school district and open-enrollment charter school;

11 (B) the number of individuals to whom each school
12 district or open-enrollment charter school provides the mental
13 health services described by Section 38.302(1);

14 (C) the number of individuals for whom each
15 school district or open-enrollment charter school has the resources
16 to provide the mental health services described by Section
17 38.302(1);

18 (D) the number of individuals described by
19 Paragraph (B) who are referred to an inpatient or outpatient mental
20 health provider;

21 (E) the number of individuals who are transported
22 from each school district or open-enrollment charter school for an
23 emergency detention under Chapter 573, Health and Safety Code; and

24 (F) the race, ethnicity, gender, special
25 education status, educationally disadvantaged status, and
26 geographic location of:

27 (i) individuals who are provided the mental

1 health services described by Section 38.302(1);

2 (ii) individuals who are described by
3 Paragraph (D); and

4 (iii) individuals who are described by
5 Paragraph (E); and

6 (2) study, evaluate, and make recommendations
7 regarding the mental health services described by Section
8 38.302(1), the training described by Section 38.302(2), and the
9 impact of those mental health services, as described by Section
10 38.302(3), including addressing:

11 (A) the outcomes and the effectiveness of the
12 services and training provided, including the outcomes and
13 effectiveness of the service and training providers and the
14 programs under which services and training are provided, in:

15 (i) improving student academic achievement
16 and attendance;

17 (ii) reducing student disciplinary
18 proceedings, suspensions, placements in a disciplinary alternative
19 education program, and expulsions; and

20 (iii) delivering prevention and
21 intervention services to promote early mental health skills,
22 including:

23 (a) building skills relating to
24 managing emotions, establishing and maintaining positive
25 relationships, and making responsible decisions;

26 (b) preventing substance abuse;

27 (c) preventing suicides;

1 (d) adhering to the purpose of the
2 relevant program services or training;

3 (e) promoting trauma-informed
4 practices;

5 (f) promoting a positive school
6 climate, as defined by Section 38.351(d) [~~Section 161.325(a-3),~~
7 ~~Health and Safety Code~~], in the district or school; and

8 (g) improving physical and emotional
9 safety and well-being in the district or school and reducing
10 violence in the district or school;

11 (B) best practices for districts and schools in
12 implementing the services or training;

13 (C) disparities in the race, ethnicity, gender,
14 special education status, and geographic location of individuals
15 receiving the services; and

16 (D) best practices to replicate the services or
17 training for all districts and schools.

18 SECTION 5.014. (a) Section 38.351, Education Code, is
19 amended to conform to Chapter 464 (S.B. 11), Acts of the 86th
20 Legislature, Regular Session, 2019, by adding Subsection (i-1) and
21 amending Subsections (j) and (k) to read as follows:

22 (i-1) A school district may develop practices and
23 procedures concerning each area listed in Subsection (c), including
24 mental health promotion and intervention, substance abuse
25 prevention and intervention, and suicide prevention, that include a
26 procedure for providing educational material to all parents and
27 families in the district that contains information on identifying

1 risk factors, accessing resources for treatment or support provided
2 on and off campus, and accessing available student accommodations
3 provided on campus.

4 (j) The practices and procedures developed under Subsection
5 (i) or (i-1):

6 (1) may address multiple areas listed in Subsection
7 (c) together; and

8 (2) must prohibit the use without the prior consent of
9 a student's parent or guardian of a medical screening of the student
10 as part of the process of identifying whether the student is
11 possibly in need of early mental health or substance abuse
12 intervention or suicide prevention.

13 (k) The practices and procedures developed under Subsection
14 (i) or (i-1) must be included in:

15 (1) the annual student handbook; and

16 (2) the district improvement plan under Section
17 [11.252](#).

18 (b) Section 23, Chapter 464 (S.B. 11), Acts of the 86th
19 Legislature, Regular Session, 2019, which amended Section
20 [161.325](#)(d), Health and Safety Code, is repealed.

21 SECTION 5.015. Section [39.059](#), Education Code, as added by
22 Chapters 870 (H.B. 3007) and 871 (H.B. 3011), Acts of the 86th
23 Legislature, Regular Session, 2019, is reenacted and amended to
24 read as follows:

25 Sec. 39.059. DATA TRANSPARENCY. (a) In this section:

26 (1) "Coordinating board" means the Texas Higher
27 Education Coordinating Board.

1 (2) "Institution of higher education" has the meaning
2 assigned by Section 61.003.

3 (b) Before the initial release of academic accountability
4 ratings for a school year:~~[-]~~

5 (1) the coordinating board shall provide to each
6 school district a copy of all source data as submitted to the
7 coordinating board by an institution of higher education that the
8 coordinating board provides to the agency to consider in:

9 (A) [~~(1)~~] determining the district's
10 accreditation status under Section 39.052; or

11 (B) [~~(2)~~] assigning performance ratings for the
12 district or the district's campuses under Section 39.054; and [~~-~~]

13 (2) the agency shall provide to each school district a
14 copy of all source data as submitted to the agency by an entity
15 other than the district that the agency considers in:

16 (A) [~~(1)~~] determining the district's
17 accreditation status under Section 39.052; or

18 (B) [~~(2)~~] assigning performance ratings for the
19 district or the district's campuses under Section 39.054.

20 SECTION 5.016. Section 39.413, Education Code, as amended
21 by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular
22 Session, 2019, is repealed to conform to the repeal of Section
23 39.413, Education Code, by Chapter 439 (S.B. 1376), Acts of the 86th
24 Legislature, Regular Session, 2019.

25 SECTION 5.017. Section 39A.002, Education Code, is amended
26 to codify text inadvertently omitted from Chapter 467 (H.B. 4170),
27 Acts of the 86th Legislature, Regular Session, 2019, and to conform

1 to Section 15, Chapter 925 (S.B. 1566), Acts of the 85th
2 Legislature, Regular Session, 2017, to read as follows:

3 Sec. 39A.002. AUTHORIZED COMMISSIONER ACTIONS. If a school
4 district is subject to commissioner action under Section 39A.001,
5 the commissioner may:

6 (1) issue public notice of the deficiency to the board
7 of trustees of the district;

8 (2) order a hearing to be conducted by the board of
9 trustees of the district to notify the public of:

10 (A) the insufficient performance;

11 (B) the improvements in performance expected by
12 the agency; and

13 (C) the interventions and sanctions that may be
14 imposed under this subchapter if the performance does not improve;

15 (3) order the preparation of a student achievement
16 improvement plan that addresses each academic achievement
17 indicator under Section 39.053(c) for which the district's
18 performance is insufficient, the submission of the plan to the
19 commissioner for approval, and the implementation of the plan;

20 (4) order a hearing to be held before the commissioner
21 or the commissioner's designee at which the president of the board
22 of trustees of the district and the district's superintendent shall
23 appear and explain the district's low performance, lack of
24 improvement, and plans for improvement;

25 (5) arrange a monitoring review of the district;

26 (6) appoint an agency monitor to participate in and
27 report to the agency on the activities of the board of trustees of

1 the district or superintendent;

2 (7) appoint a conservator to oversee the operations of
3 the district;

4 (8) appoint a management team to direct the operations
5 of the district in areas of insufficient performance or require the
6 district to obtain certain services under a contract with another
7 person; ~~or~~

8 (9) authorize the district to enter into a memorandum
9 of understanding with an institution of higher education that
10 provides for the assistance of the institution of higher education
11 in improving the district's performance; or

12 (10) [~~(12)~~] order the use of the board improvement and
13 evaluation tool as provided by Section 11.182.

14 SECTION 5.018. Section 45.0032(d), Education Code, is
15 amended to conform to Chapter 943 (H.B. 3), Acts of the 86th
16 Legislature, Regular Session, 2019, to read as follows:

17 (d) For a district to which Section 26.08(a-1), Tax Code,
18 applies, the amount by which the district's maintenance tax rate
19 exceeds the district's voter-approval tax rate, excluding the
20 district's current debt rate under Section 26.08(n)(3)
21 [~~26.08(n)(1)(C)~~], Tax Code, for the preceding year is not
22 considered in determining a district's tier one maintenance and
23 operations tax rate under Subsection (a) or the district's
24 enrichment tax rate under Subsection (b) for the current tax year.

25 SECTION 5.019. (a) Section 48.009, Education Code, is
26 amended to conform to Chapters 1036 (H.B. 548) and 1060 (H.B. 1051),
27 Acts of the 86th Legislature, Regular Session, 2019, by adding

1 Subsections (b-1), (b-2), and (b-3) to read as follows:

2 (b-1) The commissioner by rule shall require each school
3 district and open-enrollment charter school to report through the
4 Public Education Information Management System information
5 disaggregated by campus and grade regarding:

6 (1) the number of children who are required to attend
7 school under Section 25.085, are not exempted under Section 25.086,
8 and fail to attend school without excuse for 10 or more days or
9 parts of days within a six-month period in the same school year;

10 (2) the number of students for whom the district
11 initiates a truancy prevention measure under Section 25.0915(a-4);
12 and

13 (3) the number of parents of students against whom an
14 attendance officer or other appropriate school official has filed a
15 complaint under Section 25.093.

16 (b-2) The commissioner by rule shall require each school
17 district and open-enrollment charter school to annually report
18 through the Public Education Information Management System
19 information regarding the number of students who are enrolled in a
20 high school equivalency program, a dropout recovery school, or an
21 adult education program provided under a high school diploma and
22 industry certification charter school program provided by the
23 district or school and who:

24 (1) are at least 18 years of age and under 26 years of
25 age;

26 (2) have not previously been reported to the agency as
27 dropouts; and

1 (3) enroll in the program at the district or school
2 after not attending school for a period of at least nine months.

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

9 (b) Section 39.053(g-4), Education Code, is amended to
10 correct a reference to read as follows:

11 (g-4) For purposes of the computation of dropout and
12 completion rates such as high school graduation rates under
13 Subsection (c)(1)(B)(ix), the commissioner shall exclude a student
14 who was reported as having dropped out of school under Section
15 48.009(b-3) [~~42.006(a-9)~~], and the student may not be considered to
16 have dropped out from the school district or campus in which the
17 student was last enrolled.

18 (c) The following provisions, which amended Section 42.006,
19 Education Code, are repealed:

20 (1) Section 2, Chapter 1036 (H.B. 548), Acts of the
21 86th Legislature, Regular Session, 2019; and

22 (2) Section 8, Chapter 1060 (H.B. 1051), Acts of the
23 86th Legislature, Regular Session, 2019.

24 SECTION 5.020. Section 42.168, Education Code, as added by
25 Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular
26 Session, 2019, is transferred to Subchapter C, Chapter 48,
27 Education Code, redesignated as Section 48.115, Education Code, and

1 amended to conform to changes made by Chapter 943 (H.B. 3), Acts of
2 the 86th Legislature, Regular Session, 2019, to read as follows:

3 Sec. 48.115 [~~42.168~~]. SCHOOL SAFETY ALLOTMENT. (a) From
4 funds appropriated for that purpose, the commissioner shall provide
5 to a school district an annual allotment in the amount provided by
6 appropriation for each student in average daily attendance.

7 (b) Funds allocated under this section must be used to
8 improve school safety and security, including costs associated
9 with:

10 (1) securing school facilities, including:

11 (A) improvements to school infrastructure;

12 (B) the use or installation of physical barriers;

13 and

14 (C) the purchase and maintenance of:

15 (i) security cameras or other security
16 equipment; and

17 (ii) technology, including communications
18 systems or devices, that facilitates communication and information
19 sharing between students, school personnel, and first responders in
20 an emergency;

21 (2) providing security for the district, including:

22 (A) employing school district peace officers,
23 private security officers, and school marshals; and

24 (B) collaborating with local law enforcement
25 agencies, such as entering into a memorandum of understanding for
26 the assignment of school resource officers to schools in the
27 district;

1 (3) school safety and security training and planning,
2 including:

3 (A) active shooter and emergency response
4 training;

5 (B) prevention and treatment programs relating
6 to addressing adverse childhood experiences; and

7 (C) the prevention, identification, and
8 management of emergencies and threats, including:

9 (i) providing mental health personnel and
10 support;

11 (ii) providing behavioral health services;
12 and

13 (iii) establishing threat reporting
14 systems; and

15 (4) providing programs related to suicide prevention,
16 intervention, and postvention.

17 (c) A school district may use funds allocated under this
18 section for equipment or software that is used for a school safety
19 and security purpose and an instructional purpose, provided that
20 the instructional use does not compromise the safety and security
21 purpose of the equipment or software.

22 (d) A school district that is required to take action under
23 Chapter [49](#) [~~41~~] to reduce its local revenue level [~~wealth per~~
24 ~~student~~] to the [~~equalized wealth~~] level established under Section
25 [48.257](#) is entitled to a credit, in the amount of the allotments to
26 which the district is to receive as provided by appropriation,
27 against the total amount required under Section [49.153](#) [~~41.093~~] for

1 the district to purchase attendance credit [~~credits~~].

2 (e) The commissioner may adopt rules to implement this
3 section.

4 SECTION 5.021. Section 51.256(c), Education Code, is
5 amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th
6 Legislature, Regular Session, 2019, to read as follows:

7 (c) Nothing in this section may be construed as prohibiting
8 a victim from making a report to a law enforcement agency using the
9 pseudonym form described by Article 58.102 [~~57.02~~], Code of
10 Criminal Procedure.

11 SECTION 5.022. Sections 59.01(1) and (3), Education Code,
12 as amended by Chapters 8 (H.B. 826), 225 (H.B. 1592), and 294 (H.B.
13 2867), Acts of the 86th Legislature, Regular Session, 2019, are
14 reenacted and amended to read as follows:

15 (1) "Health care professional staff members or
16 students" means:

17 (A) physicians, dentists, veterinarians,
18 podiatrists, physician assistants, nurses, pharmacists, and other
19 health care providers who:

20 (i) are appointed to the faculty or
21 employed by or volunteer for The University of Texas System, The
22 Texas A&M University System, the Texas Tech University System, the
23 Texas State University System, [~~the Sam Houston State University~~
24 ~~College of Osteopathic Medicine,~~] the University of Houston System,
25 [~~the University of Houston College of Medicine,~~] Stephen F. Austin
26 State University, or the University of North Texas System; and

27 (ii) either:

1 (a) are appointed or employed on a
2 full-time basis; or

3 (b) are appointed or volunteer on a
4 part-time basis and who devote their total professional service to
5 providing health services or provide services to patients by
6 assignment from the department chairman; and

7 (B) interns, residents, fellows, medical
8 students, dental students, veterinary students, students of
9 osteopathic medicine, nursing students, pharmacy students, and
10 students of any other health care profession that requires a
11 license, certificate, or other authorization under Title 3,
12 Occupations Code, participating in a patient-care program in The
13 University of Texas System, The Texas A&M University System, the
14 Texas Tech University System, the Texas State University System,
15 ~~[the Sam Houston State University College of Osteopathic Medicine,~~
16 the University of Houston System, ~~[the University of Houston~~
17 ~~College of Medicine,~~] Stephen F. Austin State University, or the
18 University of North Texas System.

19 (3) "Board" means the board of regents of The
20 University of Texas System, the board of regents of The Texas A&M
21 University System, the board of regents of the Texas Tech
22 University System, the board of regents of the Texas State
23 University System, the board of regents of the University of
24 Houston System, the board of regents of Stephen F. Austin State
25 University, or the board of regents of the University of North Texas
26 System.

27 SECTION 5.023. Sections 59.02(a) and (c), Education Code,

1 as amended by Chapters 8 (H.B. 826), 225 (H.B. 1592), and 294 (H.B.
2 2867), Acts of the 86th Legislature, Regular Session, 2019, are
3 reenacted and amended to read as follows:

4 (a) Each board may establish a separate self-insurance fund
5 to pay any damages adjudged in a court of competent jurisdiction or
6 a settlement of any health care liability claim against a health
7 care professional staff member or student arising from the exercise
8 of the member's or student's appointment, duties, or training with
9 The University of Texas System, The Texas A&M University System,
10 the Texas Tech University System, the Texas State University
11 System, [~~the Sam Houston State University College of Osteopathic~~
12 ~~Medicine,~~] the University of Houston System, [~~the University of~~
13 ~~Houston College of Medicine,~~] Stephen F. Austin State University,
14 or the University of North Texas System.

15 (c) On the establishment of each fund, transfers to the fund
16 shall be made in an amount and at such intervals as determined by
17 the board. Each board may receive and accept any gifts or donations
18 specified for the purposes of this subchapter and deposit those
19 gifts or donations into the fund. Each board may invest money
20 deposited in the fund, and any income received shall be retained in
21 the fund. The money shall be deposited in any of the approved
22 depository banks of The University of Texas System, The Texas A&M
23 University System, the Texas Tech University System, the Texas
24 State University System, the University of Houston System, Stephen
25 F. Austin State University, or the University of North Texas
26 System. All expenditures from the funds shall be paid pursuant to
27 approval by the boards.

1 SECTION 5.024. Section 59.06, Education Code, as amended by
2 Chapters 8 (H.B. 826) and 225 (H.B. 1592), Acts of the 86th
3 Legislature, Regular Session, 2019, is reenacted and amended to
4 read as follows:

5 Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds
6 appropriated by the legislature to The University of Texas System,
7 The Texas A&M University System, the Texas Tech University System,
8 the Texas State University System, the University of Houston
9 System, [~~to the University of Houston for the University of Houston~~
10 ~~College of Medicine,~~] Stephen F. Austin State University, or the
11 University of North Texas System from the General Revenue Fund may
12 not be used to establish or maintain the fund, to purchase
13 insurance, or to employ private legal counsel.

14 SECTION 5.025. Section 63.002(c), Education Code, as
15 amended by Chapters 8 (H.B. 826), 294 (H.B. 2867), and 517 (S.B.
16 479), Acts of the 86th Legislature, Regular Session, 2019, is
17 reenacted and amended to read as follows:

18 (c) The amount available for distribution from the fund may
19 be appropriated only for programs that benefit medical research,
20 health education, or treatment programs at the following
21 health-related institutions of higher education:

22 (1) The University of Texas Health Science Center at
23 San Antonio;

24 (2) The University of Texas M. D. Anderson Cancer
25 Center;

26 (3) The University of Texas Southwestern Medical
27 Center;

1 (4) The University of Texas Medical Branch at
2 Galveston;

3 (5) The University of Texas Health Science Center at
4 Houston;

5 (6) The University of Texas Health Science Center at
6 Tyler;

7 (7) The University of Texas Health Science
8 Center--South Texas and its component institutions, if established
9 under Subchapter N, Chapter 74;

10 (8) The Texas A&M University Health Science Center;

11 (9) the University of North Texas Health Science
12 Center at Fort Worth;

13 (10) the Texas Tech University Health Sciences Center;

14 (11) the Texas Tech University Health Sciences Center
15 at El Paso;

16 (12) the University of Houston College of Medicine;

17 [~~and~~]

18 (13) the Sam Houston State University College of
19 Osteopathic Medicine; [~~and~~]

20 (14) the Dell Medical School at The University of
21 Texas at Austin; and

22 (15) [~~(13)~~] Baylor College of Medicine, if a contract
23 between Baylor College of Medicine and the Texas Higher Education
24 Coordinating Board is in effect under Section 61.092.

25 ARTICLE 6. CHANGES RELATING TO ELECTION CODE

26 SECTION 6.001. Section 13.004(c), Election Code, as amended
27 by Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910),

1 Acts of the 86th Legislature, Regular Session, 2019, is reenacted
2 to read as follows:

3 (c) The following information furnished on a registration
4 application is confidential and does not constitute public
5 information for purposes of Chapter 552, Government Code:

6 (1) a social security number;

7 (2) a Texas driver's license number;

8 (3) a number of a personal identification card issued
9 by the Department of Public Safety;

10 (4) an indication that an applicant is interested in
11 working as an election judge;

12 (5) the residence address of the applicant, if the
13 applicant is a federal judge or state judge, the spouse of a federal
14 judge or state judge, the spouse of a peace officer as defined by
15 Article 2.12, Code of Criminal Procedure, or an individual to whom
16 Section 552.1175, Government Code, or Section 521.1211,
17 Transportation Code, applies and the applicant:

18 (A) included an affidavit with the registration
19 application describing the applicant's status under this
20 subdivision, if the applicant is a federal judge or state judge or
21 the spouse of a federal judge or state judge;

22 (B) provided the registrar with an affidavit
23 describing the applicant's status under this subdivision, if the
24 applicant is a federal judge or state judge or the spouse of a
25 federal judge or state judge; or

26 (C) provided the registrar with a completed form
27 approved by the secretary of state for the purpose of notifying the

1 registrar of the applicant's status under this subdivision;

2 (6) the residence address of the applicant, if the
3 applicant, the applicant's child, or another person in the
4 applicant's household is a victim of family violence as defined by
5 Section 71.004, Family Code, who provided the registrar with:

6 (A) a copy of a protective order issued under
7 Chapter 85, Family Code, or a magistrate's order for emergency
8 protection issued under Article 17.292, Code of Criminal Procedure;
9 or

10 (B) other independent documentary evidence
11 necessary to show that the applicant, the applicant's child, or
12 another person in the applicant's household is a victim of family
13 violence;

14 (7) the residence address of the applicant, if the
15 applicant, the applicant's child, or another person in the
16 applicant's household is a victim of sexual assault or abuse,
17 stalking, or trafficking of persons who provided the registrar
18 with:

19 (A) a copy of a protective order issued under
20 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a
21 magistrate's order for emergency protection issued under Article
22 17.292, Code of Criminal Procedure; or

23 (B) other independent documentary evidence
24 necessary to show that the applicant, the applicant's child, or
25 another person in the applicant's household is a victim of sexual
26 assault or abuse, stalking, or trafficking of persons;

27 (8) the residence address of the applicant, if the

1 applicant:

2 (A) is a participant in the address
3 confidentiality program administered by the attorney general under
4 Subchapter B, Chapter 58, Code of Criminal Procedure; and

5 (B) provided the registrar with proof of
6 certification under Article 58.059, Code of Criminal Procedure; or

7 (9) the telephone number of any applicant submitting
8 documentation under Subdivision (5), (6), (7), or (8).

9 SECTION 6.002. Section 87.121, Election Code, as amended by
10 Chapters 1083 (H.B. 1850) and 1215 (S.B. 902), Acts of the 86th
11 Legislature, Regular Session, 2019, is reenacted and amended to
12 read as follows:

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

18 (b) For each person listed, the applicable roster must
19 include:

20 (1) the person's name, address, and voter registration
21 number;

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

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

26 (c) Each roster shall be updated daily.

27 (d) Each roster may be maintained in any form approved by

1 the secretary of state.

2 (e) The clerk shall preserve each roster after the election
3 for the period for preserving the precinct election records.

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

9 (g) Information on the roster for a person who votes an
10 early voting ballot by personal appearance shall be made available
11 for public inspection as provided by Subsection (i) not later than
12 11 a.m. on the day after the date the information is entered on the
13 roster under Subsection (c).

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

19 (i) The information under Subsections (g) and (h) must be
20 made available:

21 (1) for an election in which the county clerk is the
22 early voting clerk:

23 (A) on the publicly accessible Internet website
24 of the county; or

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

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

2 (A) on the publicly accessible Internet website
3 of the authority ordering the election; or

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

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

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

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

17 (k) [~~(j)~~] The secretary of state shall [~~make any early~~
18 ~~voting roster created under this section available to the public on~~
19 ~~the secretary's Internet website.~~

20 [~~(j) The secretary of state shall~~] post the information
21 described by Subsection (j) [~~(i)~~] on the secretary of state's
22 Internet website in a downloadable format.

23 (l) [~~(k)~~] The secretary of state shall create a system for
24 an early voting clerk for a primary election or the general election
25 for state and county officers to provide the information to the
26 secretary of state for posting on the secretary of state's Internet
27 website under Subsection (j) [~~(i)~~].

1 SECTION 6.003. Section 172.113(e), Election Code, is
2 amended to read as follows:

3 (e) On completing the tabulation, the authority shall:

4 (1) deliver it to the general custodian; or

5 (2) post the tabulation on:

6 (A) ~~on~~ the county's website; and

7 (B) if required by secretary of state rule, the
8 secretary of state's website.

9 ARTICLE 7. CHANGES RELATING TO FAMILY CODE

10 SECTION 7.001. Section 33.006, Family Code, is amended to
11 correct a reference to read as follows:

12 Sec. 33.006. GUARDIAN AD LITEM IMMUNITY. A guardian ad
13 litem appointed under this chapter and acting in the course and
14 scope of the appointment is not liable for damages arising from an
15 act or omission of the guardian ad litem committed in good faith.
16 The immunity granted by this section does not apply if the conduct
17 of the guardian ad litem is committed in a manner described by
18 Sections 107.009(b)(1)-(3) [~~107.003(b)(1)-(4)~~].

19 ARTICLE 8. CHANGES RELATING TO FINANCE CODE

20 SECTION 8.001. Section 184.003(e), Finance Code, is amended
21 to conform to Section 23, Chapter 528 (H.B. 2155), Acts of the 77th
22 Legislature, Regular Session, 2001, to read as follows:

23 (e) Subject to the exercise of prudent judgment, a state
24 trust company may invest its secondary capital in real property.
25 The factors to be considered by a state trust company in exercise of
26 prudent judgment include the factors contained in Section
27 184.101(e) [~~184.101(f)~~].

1 ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE

2 PART A. GENERAL CHANGES

3 SECTION 9.001. Section 25.0202(a), Government Code, as
4 amended by Chapters 606 (S.B. 891) and 696 (S.B. 2342), Acts of the
5 86th Legislature, Regular Session, 2019, is reenacted and amended
6 to read as follows:

7 (a) In addition to the jurisdiction provided by Section
8 25.0003 and other law, a county court at law in Bosque County has
9 concurrent jurisdiction with the district court in:

10 (1) family law cases and proceedings; ~~and~~

11 (2) contested probate matters under Section 32.003,
12 Estates Code; and

13 (3) (4) ~~(4)~~ felony cases transferred from the district
14 court to conduct arraignments, pretrial hearings, and motions to
15 adjudicate or revoke and to accept guilty pleas.

16 SECTION 9.002. Section 54.101(b), Government Code, as added
17 by Chapter 355 (H.B. 452), Acts of the 86th Legislature, Regular
18 Session, 2019, is repealed as duplicative of Section 54.101(b),
19 Government Code, as added by Chapter 606 (S.B. 891), Acts of the
20 86th Legislature, Regular Session, 2019.

21 SECTION 9.003. Subtitle I, Title 2, Government Code, is
22 repealed as duplicative of the substantive provisions referenced in
23 the subtitle.

24 SECTION 9.004. The following provisions are repealed as
25 duplicative of Section 418.056, Government Code, as added by
26 Chapter 602 (S.B. 799), Acts of the 86th Legislature, Regular
27 Session, 2019:

1 (1) Section 418.054, Government Code, as added by
2 Chapter 576 (S.B. 289), Acts of the 86th Legislature, Regular
3 Session, 2019; and

4 (2) Section 418.054, Government Code, as added by
5 Chapter 1018 (H.B. 6), Acts of the 86th Legislature, Regular
6 Session, 2019.

7 SECTION 9.005. Section 436.054(b), Government Code, as
8 amended by Chapters 276 (S.B. 2131) and 800 (H.B. 2119), Acts of the
9 86th Legislature, Regular Session, 2019, is reenacted to read as
10 follows:

11 (b) The commission is a governmental body for purposes of
12 the open meetings law, Chapter 551. Except as otherwise provided by
13 this section, Chapter 551 applies to a meeting of the commission.

14 SECTION 9.006. (a) Sections 478.0001(3) and (7), Government
15 Code, as effective April 1, 2021, are amended to conform to Chapter
16 1223 (H.B. 2402), Acts of the 86th Legislature, Regular Session,
17 2019, to read as follows:

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

20 (A) the Academy of Country Music Awards;

21 (B) the Amateur Athletic Union Junior Olympic
22 Games;

23 (C) a Big 12 Football Conference Championship
24 game;

25 (D) the Breeders' Cup World Championships;

26 (E) [~~(D)~~] a game of the College Football Playoff
27 or its successor;

- 1 (F) a CONVRG conference;
- 2 (G) [~~(E)~~] an Elite Rodeo Association World
3 Championship;
- 4 (H) [~~(F)~~] a Formula One automobile race;
- 5 (I) [~~(G)~~] the largest event held each year at a
6 sports entertainment venue in this state with a permanent seating
7 capacity, including grandstand and premium seating, of at least
8 125,000;
- 9 (J) [~~(H)~~] the Major League Baseball All-Star
10 Game;
- 11 (K) [~~(I)~~] the Major League Soccer All-Star Game
12 or the Major League Soccer Cup;
- 13 (L) [~~(J)~~] a mixed martial arts championship;
- 14 (M) [~~(K)~~] the Moto Grand Prix of the United
15 States;
- 16 (N) [~~(L)~~] the National Association for Stock Car
17 Auto Racing (NASCAR):
- 18 (i) All-Star Race; or
- 19 (ii) season-ending Championship Race;
- 20 (O) [~~(M)~~] the National Basketball Association
21 All-Star Game;
- 22 (P) [~~(N)~~] a National Collegiate Athletic
23 Association Final Four tournament game;
- 24 (Q) [~~(O)~~] the National Collegiate Athletic
25 Association men's or women's lacrosse championships;
- 26 (R) [~~(P)~~] a national collegiate championship of
27 an amateur sport sanctioned by the national governing body of the

1 sport that is recognized by the United States Olympic Committee;

2 (S) [~~(Q)~~] the National Cutting Horse Association
3 Triple Crown;

4 (T) [~~(R)~~] the National Hockey League All-Star
5 Game;

6 (U) [~~(S)~~] a national political convention of the
7 Republican National Committee or the Democratic National
8 Committee;

9 (V) a championship event in the National Reined
10 Cow Horse Association (NRCHA) Championship Series;

11 (W) [~~(T)~~] an Olympic activity, including a
12 Junior or Senior activity, training program, or feeder program
13 sanctioned by the United States Olympic Committee's Community
14 Olympic Development Program;

15 (X) [~~(U)~~] a presidential general election
16 debate;

17 (Y) [~~(V)~~] the Professional Rodeo Cowboys
18 Association National Finals Rodeo;

19 (Z) [~~(W)~~] a Super Bowl;

20 (AA) [~~(X)~~] the United States Open Championship;

21 (BB) [~~(Y)~~] a World Cup soccer game or the World
22 Cup soccer tournament;

23 (CC) [~~(Z)~~] the World Games;

24 (DD) a World Wrestling Entertainment
25 WrestleMania event; or

26 (EE) [~~(AA)~~] the X Games.

27 (7) "Site selection organization" means:

- 1 (A) the Academy of Country Music;
- 2 (B) the Amateur Athletic Union;
- 3 (C) the Big 12 Conference;
- 4 (D) the College Football Playoff Administration,
5 LLC, or its successor;
- 6 (E) [~~(D)~~] the Commission on Presidential
7 Debates;
- 8 (F) [~~(E)~~] the Democratic National Committee;
- 9 (G) [~~(F)~~] Dorna Sports;
- 10 (H) [~~(G)~~] the Elite Rodeo Association;
- 11 (I) Encore Live;
- 12 (J) [~~(H)~~] ESPN or an affiliate;
- 13 (K) [~~(I)~~] the Federation Internationale de
14 Football Association (FIFA);
- 15 (L) [~~(J)~~] the International World Games
16 Association;
- 17 (M) [~~(K)~~] Major League Baseball;
- 18 (N) [~~(L)~~] Major League Soccer;
- 19 (O) [~~(M)~~] the National Association for Stock Car
20 Auto Racing (NASCAR);
- 21 (P) [~~(N)~~] the National Basketball Association;
- 22 (Q) [~~(O)~~] the National Collegiate Athletic
23 Association;
- 24 (R) [~~(P)~~] the National Cutting Horse
25 Association;
- 26 (S) [~~(Q)~~] the National Football League;
- 27 (T) [~~(R)~~] the National Hockey League;

1 (U) the National Reined Cow Horse Association
2 (NRCHA);

3 (V) [~~(S)~~] the Professional Rodeo Cowboys
4 Association;

5 (W) [~~(T)~~] the Republican National Committee;

6 (X) [~~(U)~~] the Ultimate Fighting Championship;

7 (Y) [~~(V)~~] the United States Golf Association;

8 (Z) [~~(W)~~] the United States Olympic Committee;

9 (AA) World Wrestling Entertainment; or

10 (BB) [~~(X)~~] the national governing body of a sport
11 that is recognized by:

12 (i) the Federation Internationale de
13 l'Automobile;

14 (ii) Formula One Management Limited;

15 (iii) the National Thoroughbred Racing
16 Association; or

17 (iv) the United States Olympic Committee.

18 (b) Section 1, Chapter 1223 (H.B. 2402), Acts of the 86th
19 Legislature, Regular Session, 2019, which amended Sections
20 5A(a)(4) and (5), Chapter 1507 (S.B. 456), Acts of the 76th
21 Legislature, Regular Session, 1999 (Article 5190.14, Vernon's
22 Texas Civil Statutes), is repealed.

23 SECTION 9.007. Section 478.0107, Government Code, as
24 effective April 1, 2021, is amended to codify text inadvertently
25 omitted from Chapter 301 (H.B. 4174), Acts of the 86th Legislature,
26 Regular Session, 2019, by adding Subsection (c) to read as follows:

27 (c) This section does not require disclosure of information

1 that is confidential under Chapter 552 or confidential or
2 privileged under other law.

3 SECTION 9.008. Section 497.010(c), Government Code, is
4 amended to conform to Section 16, Chapter 1250 (H.B. 4181), Acts of
5 the 86th Legislature, Regular Session, 2019, to read as follows:

6 (c) It is an exception to the application of this section
7 that the article or product sold is:

8 (1) a state flag or similar item produced for sale or
9 distribution by the legislature under Section 301.071 [~~301.034~~]; or

10 (2) a service provided under a contract for which the
11 Private Sector/Prison Industry Enhancement Certification Program
12 operated by the Bureau of Justice Assistance and authorized by 18
13 U.S.C. Section 1761 does not require certification.

14 SECTION 9.009. Section 531.0996(e), Government Code, as
15 added by Chapter 973 (S.B. 748), Acts of the 86th Legislature,
16 Regular Session, 2019, is amended to conform to the repeal of
17 Section 531.02176, Government Code, by Chapters 964 (S.B. 670) and
18 1061 (H.B. 1063), Acts of the 86th Legislature, Regular Session,
19 2019, to read as follows:

20 (e) The [~~Notwithstanding Section 531.02176, the~~] commission
21 may:

22 (1) provide home telemonitoring services and
23 necessary durable medical equipment to pilot program participants
24 who are at risk of experiencing pregnancy-related complications, as
25 determined by a physician, to the extent the commission anticipates
26 the services and equipment will reduce unnecessary emergency room
27 visits or hospitalizations; and

1 (2) reimburse providers under Medicaid for the
2 provision of home telemonitoring services and durable medical
3 equipment under the pilot program.

4 SECTION 9.010. Section 552.117(a), Government Code, as
5 reenacted and amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494),
6 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the
7 86th Legislature, Regular Session, 2019, is reenacted and amended
8 to read as follows:

9 (a) Information is excepted from the requirements of
10 Section 552.021 if it is information that relates to the home
11 address, home telephone number, emergency contact information, or
12 social security number of the following person or that reveals
13 whether the person has family members:

14 (1) a current or former official or employee of a
15 governmental body, except as otherwise provided by Section 552.024;

16 (2) a peace officer as defined by Article 2.12, Code of
17 Criminal Procedure, or a security officer commissioned under
18 Section 51.212, Education Code, regardless of whether the officer
19 complies with Section 552.024 or 552.1175, as applicable;

20 (3) a current or former employee of the Texas
21 Department of Criminal Justice or of the predecessor in function of
22 the department or any division of the department, regardless of
23 whether the current or former employee complies with Section
24 552.1175;

25 (4) a peace officer as defined by Article 2.12, Code of
26 Criminal Procedure, or other law, a reserve law enforcement
27 officer, a commissioned deputy game warden, or a corrections

1 officer in a municipal, county, or state penal institution in this
2 state who was killed in the line of duty, regardless of whether the
3 deceased complied with Section 552.024 or 552.1175;

4 (5) a commissioned security officer as defined by
5 Section 1702.002, Occupations Code, regardless of whether the
6 officer complies with Section 552.024 or 552.1175, as applicable;

7 (6) an officer or employee of a community supervision
8 and corrections department established under Chapter 76 who
9 performs a duty described by Section 76.004(b), regardless of
10 whether the officer or employee complies with Section 552.024 or
11 552.1175;

12 (7) a current or former employee of the office of the
13 attorney general who is or was assigned to a division of that office
14 the duties of which involve law enforcement, regardless of whether
15 the current or former employee complies with Section 552.024 or
16 552.1175;

17 (8) a current or former employee of the Texas Juvenile
18 Justice Department or of the predecessors in function of the
19 department, regardless of whether the current or former employee
20 complies with Section 552.024 or 552.1175;

21 (9) a current or former juvenile probation or
22 supervision officer certified by the Texas Juvenile Justice
23 Department, or the predecessors in function of the department,
24 under Title 12, Human Resources Code, regardless of whether the
25 current or former officer complies with Section 552.024 or
26 552.1175;

27 (10) a current or former employee of a juvenile

1 justice program or facility, as those terms are defined by Section
2 261.405, Family Code, regardless of whether the current or former
3 employee complies with Section 552.024 or 552.1175;

4 (11) a current or former member of the United States
5 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary
6 service of one of those branches of the armed forces, or the Texas
7 military forces, as that term is defined by Section 437.001;

8 (12) a current or former district attorney, criminal
9 district attorney, or county or municipal attorney whose
10 jurisdiction includes any criminal law or child protective services
11 matters, regardless of whether the current or former attorney
12 complies with Section 552.024 or 552.1175;

13 (13) a current or former employee of a district
14 attorney, criminal district attorney, or county or municipal
15 attorney whose jurisdiction includes any criminal law or child
16 protective services matters, regardless of whether the current or
17 former employee complies with Section 552.024 or 552.1175;

18 (14) a current or former employee of the Texas Civil
19 Commitment Office or of the predecessor in function of the office or
20 a division of the office, regardless of whether the current or
21 former employee complies with Section 552.024 or 552.1175; [~~or~~]

22 (15) a current or former federal judge or state judge,
23 as those terms are defined by Section 1.005, Election Code, or a
24 spouse of a current or former federal judge or state judge;

25 (16) a current or former child protective services
26 caseworker, adult protective services caseworker, or investigator
27 for the Department of Family and Protective Services, regardless of

1 whether the caseworker or investigator complies with Section
2 552.024 or 552.1175, or a current or former employee of a department
3 contractor performing child protective services caseworker, adult
4 protective services caseworker, or investigator functions for the
5 contractor on behalf of the department; ~~or~~

6 (17) ~~[(16)]~~ a state officer elected statewide or a
7 member of the legislature, regardless of whether the officer or
8 member complies with Section 552.024 or 552.1175;

9 (18) ~~[(16)]~~ a current or former United States attorney
10 or assistant United States attorney and the spouse or child of the
11 attorney; or

12 (19) ~~[(16)]~~ a firefighter or volunteer firefighter or
13 emergency medical services personnel as defined by Section 773.003,
14 Health and Safety Code, regardless of whether the firefighter or
15 volunteer firefighter or emergency medical services personnel
16 comply with Section 552.024 or 552.1175, as applicable.

17 SECTION 9.011. Section 552.1175(a), Government Code, as
18 amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B.
19 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th
20 Legislature, Regular Session, 2019, is reenacted and amended to
21 read as follows:

22 (a) This section applies only to:

23 (1) peace officers as defined by Article 2.12, Code of
24 Criminal Procedure, or special investigators as described by
25 Article 2.122, Code of Criminal Procedure;

26 (2) county jailers as defined by Section 1701.001,
27 Occupations Code;

1 (3) current or former employees of the Texas
2 Department of Criminal Justice or of the predecessor in function of
3 the department or any division of the department;

4 (4) commissioned security officers as defined by
5 Section 1702.002, Occupations Code;

6 (5) a current or former district attorney, criminal
7 district attorney, or county or municipal attorney whose
8 jurisdiction includes any criminal law or child protective services
9 matters;

10 (5-a) a current or former employee of a district
11 attorney, criminal district attorney, or county or municipal
12 attorney whose jurisdiction includes any criminal law or child
13 protective services matters;

14 (6) officers and employees of a community supervision
15 and corrections department established under Chapter 76 who perform
16 a duty described by Section 76.004(b);

17 (7) criminal investigators of the United States as
18 described by Article 2.122(a), Code of Criminal Procedure;

19 (8) police officers and inspectors of the United
20 States Federal Protective Service;

21 (9) current and former employees of the office of the
22 attorney general who are or were assigned to a division of that
23 office the duties of which involve law enforcement;

24 (10) current or former juvenile probation and
25 detention officers certified by the Texas Juvenile Justice
26 Department, or the predecessors in function of the department,
27 under Title 12, Human Resources Code;

1 (11) current or former employees of a juvenile justice
2 program or facility, as those terms are defined by Section 261.405,
3 Family Code;

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

7 (13) federal judges and state judges as defined by
8 Section 1.005, Election Code;

9 (14) current or former employees of the Texas Civil
10 Commitment Office or of the predecessor in function of the office or
11 a division of the office; ~~and~~

12 (15) a current or former member of the United States
13 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary
14 service of one of those branches of the armed forces, or the Texas
15 military forces, as that term is defined by Section 437.001;

16 (16) ~~(15)~~ a current or former child protective
17 services caseworker, adult protective services caseworker, or
18 investigator for the Department of Family and Protective Services
19 or a current or former employee of a department contractor
20 performing child protective services caseworker, adult protective
21 services caseworker, or investigator functions for the contractor
22 on behalf of the department; ~~and~~

23 (17) ~~(15)~~ state officers elected statewide and
24 members of the legislature; and

25 (18) ~~(15)~~ a firefighter or volunteer firefighter or
26 emergency medical services personnel as defined by Section 773.003,
27 Health and Safety Code.

1 SECTION 9.012. Sections 659.016(e) and (f), Government
2 Code, are amended to correct a reference to read as follows:

3 (e) A deduction may be made from the salary of an employee
4 who is exempt as an executive, professional, or administrative
5 employee under 29 U.S.C. Section 213(a)(1) if:

6 (1) the employee is not at work for a full day or
7 longer for personal reasons other than sickness, accident, jury
8 duty, attendance as a witness at a judicial proceeding, or
9 temporary military leave;

10 (2) the employee is not at work for a full day or
11 longer because of sickness or disability, including sickness or
12 disability covered by workers' compensation benefits, and the
13 employee's paid sick leave or workers' compensation benefits have
14 been exhausted;

15 (3) the deduction is a penalty imposed for a violation
16 of a significant safety rule relating to prevention of serious
17 danger in the workplace to other persons, including other
18 employees; or

19 (4) in accordance with the special provisions
20 applicable to executive, professional, or administrative employees
21 of public agencies set forth in 29 C.F.R. Section 541.710 [~~541.54~~],
22 the employee is not at work for less than one day for personal
23 reasons or because of illness or injury and accrued leave is not
24 used by the employee because:

25 (A) permission to use accrued leave was not
26 sought or was denied;

27 (B) accrued leave has been exhausted; or

1 (C) the employee chooses to use leave without
2 pay.

3 (f) In accordance with 29 C.F.R. Section 541.710 [~~541.5d~~], a
4 deduction from the pay of an executive, professional, or
5 administrative employee because of an absence from work caused by a
6 furlough related to the budget does not affect the employee's
7 status as an employee paid on a salary basis, except for any
8 workweek in which the furlough occurs and for which the employee's
9 pay is accordingly reduced.

10 SECTION 9.013. Section 772.0064(i), Government Code, is
11 amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th
12 Legislature, Regular Session, 2019, to read as follows:

13 (i) The task force shall:

14 (1) develop policy recommendations to allow the state
15 to:

16 (A) effectively coordinate funding for services
17 to child and adult survivors; and

18 (B) better prevent, investigate, and prosecute
19 incidents of sexual assault and other sex offenses;

20 (2) facilitate communication and cooperation between
21 state agencies that have duties relating to the prevention,
22 investigation, or prosecution of sexual assault or other sex
23 offenses or services provided to survivors in order to identify and
24 coordinate state resources available for assisting survivors;

25 (3) collect, analyze, and make publicly available
26 information, organized by region, regarding the prevention,
27 investigation, and prosecution of sexual assault and other sex

1 offenses and services provided to survivors, including a list of
2 SAFE-ready facilities designated under Section [323.0015](#), Health
3 and Safety Code;

4 (4) make and periodically update recommendations
5 regarding the collection, preservation, tracking, analysis, and
6 destruction of evidence in cases of sexual assault or other sex
7 offenses, including recommendations:

8 (A) to the attorney general regarding:

9 (i) evidence collection kits for use in the
10 collection and preservation of evidence of sexual assault or other
11 sex offenses;

12 (ii) protocols for the collection and
13 preservation of evidence of sexual assault or other sex offenses;

14 (iii) the curriculum for training programs
15 on collecting and preserving evidence of sexual assault and other
16 sex offenses; and

17 (iv) the requirements for certification of
18 sexual assault nurse examiners; and

19 (B) to other appropriate individuals or
20 organizations, regarding:

21 (i) the procedures for obtaining patient
22 authorization for forensic medical examinations of child and adult
23 survivors under Subchapters F and G, Chapter [56A](#) [~~Articles [56.06](#)~~
24 ~~and [56.065](#)~~], Code of Criminal Procedure;

25 (ii) the requirements for maintaining an
26 appropriate evidentiary chain of custody;

27 (iii) the identification and reporting of

1 untested evidence throughout the state; and

2 (iv) standards for the submission of
3 evidence to forensic laboratories for analysis, including
4 procedures for submitting evidence in cases for which no evidence
5 has been previously submitted or tested;

6 (5) advise and provide resources to the Texas
7 Commission on Law Enforcement and other law enforcement
8 organizations to improve law enforcement officer training related
9 to the investigation and documentation of cases involving sexual
10 assault and other sex offenses, with a focus on the interactions
11 between law enforcement officers and survivors;

12 (6) provide to law enforcement agencies, prosecutors,
13 and judges with jurisdiction over sexual assault or other sex
14 offense cases information and resources to maximize effective and
15 empathetic investigation, prosecution, and hearings, including
16 information and resources:

17 (A) regarding trauma-informed practices and the
18 dynamics and effects of sexual assault and other sex offenses on
19 child and adult survivors;

20 (B) intended to improve the understanding of and
21 the response to sexual assault or other sex offenses;

22 (C) regarding best practices in the
23 investigation and prosecution of sexual assault or other sex
24 offenses; and

25 (D) for judges regarding common issues in the
26 criminal trials of sexual assault and other sex offenses;

27 (7) biennially contract for a survey of the resources

1 provided to survivors by nonprofit organizations, health care
2 facilities, institutions of higher education, sexual assault
3 response teams, and other governmental entities in each region of
4 the state;

5 (8) make recommendations as necessary to improve the
6 collecting and reporting of data on the investigation and
7 prosecution of sexual assault and other sex offenses; and

8 (9) develop a statewide standard for best practices in
9 the funding and provision of services to survivors by nonprofit
10 organizations, health care facilities, institutions of higher
11 education, sexual assault response teams, and other governmental
12 entities.

13 SECTION 9.014. Section [2054.352\(a\)](#), Government Code, as
14 amended by Chapters 467 (H.B. 4170), 768 (H.B. 1501), and 1232 (H.B.
15 1523), Acts of the 86th Legislature, Regular Session, 2019, is
16 reenacted to read as follows:

17 (a) The following licensing entities shall participate in
18 the system established under Section [2054.353](#):

- 19 (1) Texas Board of Chiropractic Examiners;
- 20 (2) Judicial Branch Certification Commission;
- 21 (3) State Board of Dental Examiners;
- 22 (4) Texas Funeral Service Commission;
- 23 (5) Texas Medical Board;
- 24 (6) Texas Board of Nursing;
- 25 (7) Texas Optometry Board;
- 26 (8) Department of Agriculture, for licenses issued
27 under Chapter [1951](#), Occupations Code;

- 1 (9) Texas State Board of Pharmacy;
- 2 (10) Executive Council of Physical Therapy and
3 Occupational Therapy Examiners;
- 4 (11) Texas State Board of Plumbing Examiners;
- 5 (12) Texas Behavioral Health Executive Council;
- 6 (13) State Board of Veterinary Medical Examiners;
- 7 (14) Texas Real Estate Commission;
- 8 (15) Texas Appraiser Licensing and Certification
9 Board;
- 10 (16) Texas Department of Licensing and Regulation;
- 11 (17) Texas State Board of Public Accountancy;
- 12 (18) State Board for Educator Certification;
- 13 (19) Texas Board of Professional Engineers and Land
14 Surveyors;
- 15 (20) Health and Human Services Commission;
- 16 (21) Texas Board of Architectural Examiners;
- 17 (22) Texas Racing Commission;
- 18 (23) Texas Commission on Law Enforcement; and
- 19 (24) Texas Private Security Board.

20 SECTION 9.015. Section [2400.0015](#), Government Code, as added
21 by Chapter 666 (S.B. 1978), Acts of the 86th Legislature, Regular
22 Session, 2019, is amended to conform to Section [21.009\(35\)](#), Chapter
23 467 (H.B. 4170), Acts of the 86th Legislature, Regular Session,
24 2019, to read as follows:

25 Sec. 2400.0015. APPLICABILITY. This chapter does not apply
26 to an investment prohibited under Chapter [808](#) or a contract
27 prohibited under Chapter [2271](#) [~~[2270](#), as added by Chapter 1 (H.B.~~

1 ~~89), Acts of the 85th Legislature, Regular Session, 2017]~~.

2 PART B. CHANGES RELATING TO THE SECURITIES ACT

3 SECTION 9.101. Section 4002.002, Government Code, as
4 effective January 1, 2022, is amended to conform to Section 1,
5 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
6 Session, 2019, to read as follows:

7 Sec. 4002.002. SUNSET PROVISION. The State Securities
8 Board is subject to Chapter 325 (Texas Sunset Act). Unless
9 continued in existence as provided by that chapter, the board is
10 abolished and this title expires September 1, 2031 [~~2019~~].

11 SECTION 9.102. Section 4002.058, Government Code, as
12 effective January 1, 2022, is amended to conform to Section 2,
13 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
14 Session, 2019, by amending Subsection (b) and adding Subsection (d)
15 to read as follows:

16 (b) The training program must provide the person with
17 information regarding:

18 (1) the law governing [~~legislation that created the~~]
19 board operations;

20 (2) the programs, [~~operated by the board,~~
21 [~~(3) the role and~~] functions, rules, and budget of the
22 board;

23 (3) the scope of and limitations on the rulemaking
24 authority [~~(4) the rules~~] of the board [~~, with an emphasis on the~~
25 ~~rules that relate to disciplinary and investigatory authority~~];

26 (4) the types of board rules, interpretations, and
27 enforcement actions that may implicate federal antitrust law by

1 limiting competition or impacting prices charged by persons engaged
2 in a profession or business the board regulates, including any
3 rule, interpretation, or enforcement action that:

4 (A) regulates the scope of practice of persons in
5 a profession or business the board regulates;

6 (B) restricts advertising by persons in a
7 profession or business the board regulates;

8 (C) affects the price of goods or services
9 provided by persons in a profession or business the board
10 regulates; or

11 (D) restricts participation in a profession or
12 business the board regulates;

13 ~~(5) [the current budget for the board,~~
14 ~~(6)]~~ the results of the most recent formal audit of
15 the board;

16 (6) [(7)] the requirements of:

17 (A) laws relating to [the] open meetings, ~~[law,~~
18 ~~Chapter 551,~~

19 ~~[(B) the] public information [law], [Chapter~~
20 ~~552,~~

21 ~~[(C) the] administrative procedure [law],~~
22 ~~[Chapter 2001,~~ and disclosing conflicts of interest; and

23 (B) [(D)] other laws applicable [relating] to
24 members of a state policymaking body in performing their duties
25 ~~[public officials, including conflict-of-interest laws]; and~~

26 (7) [(8)] any applicable ethics policies adopted by
27 the board or the Texas Ethics Commission.

1 (d) The commissioner shall create a training manual that
2 includes the information required by Subsection (b). The
3 commissioner shall distribute a copy of the training manual
4 annually to each member of the board. Each member of the board shall
5 sign and submit to the commissioner a statement acknowledging that
6 the member received and has reviewed the training manual.

7 SECTION 9.103. Sections 4002.107 and 4007.051, Government
8 Code, as effective January 1, 2022, are amended to conform to
9 Section 3, Chapter 772 (H.B. 1535), Acts of the 86th Legislature,
10 Regular Session, 2019, to read as follows:

11 Sec. 4002.107. WRITTEN EMPLOYEE COMPLAINT PROCEDURE. (a)
12 The commissioner or the commissioner's designee shall maintain a
13 system to promptly and efficiently act [file] on complaints [each
14 written complaint] filed with the commissioner or board concerning
15 an employee or former employee. The commissioner or the
16 commissioner's designee shall maintain [The file must include] the
17 information listed in Section 4007.051 for files maintained under
18 that section for complaints against persons registered under this
19 title.

20 (b) The commissioner or the commissioner's designee shall
21 make information available describing [provide to the person filing
22 the complaint and to each person who is a subject of the complaint a
23 copy of] the board's [~~policies and~~] procedures for [relating to]
24 complaint investigation and resolution.

25 (c) The commissioner or the commissioner's designee [~~at~~
26 ~~least quarterly until final disposition of the complaint,~~] shall
27 periodically notify the [~~person filing the~~] complaint parties [~~and~~

1 ~~each person who is a subject of the complaint]~~ of the status of the
2 complaint until final disposition [~~investigation~~] unless the
3 notice would jeopardize a law enforcement [~~an undercover~~]
4 investigation.

5 Sec. 4007.051. COMPLAINTS FILED WITH COMMISSIONER OR BOARD.

6 (a) The commissioner or the commissioner's designee shall maintain
7 a system to promptly and efficiently act [~~file~~] on complaints [~~each~~
8 ~~written complaint~~] filed with the commissioner or board concerning
9 a person registered under this title. The commissioner or the
10 commissioner's designee shall maintain information about parties
11 to the complaint, the subject matter of the complaint, a summary of
12 the results of the review or investigation of the complaint, and its
13 disposition [~~The file must include:~~

14 [~~(1) the name of the person who filed the complaint,~~
15 [~~(2) the date the complaint was received by the~~
16 ~~commissioner or board,~~

17 [~~(3) the subject matter of the complaint,~~

18 [~~(4) the name of each person contacted in relation to~~
19 ~~the complaint,~~

20 [~~(5) a summary of the results of the review or~~
21 ~~investigation of the complaint, and~~

22 [~~(6) an explanation of the reason the file was closed,~~
23 ~~if the commissioner closed the file without taking action other~~
24 ~~than the investigation of the complaint].~~

25 (b) The commissioner or the commissioner's designee shall
26 make information available describing [~~provide to the person filing~~
27 ~~the complaint and to each person who is a subject of the complaint a~~

1 ~~copy of~~] the board's [~~policies and~~] procedures for [~~relating to~~]
2 complaint investigation and resolution.

3 (c) The commissioner or the commissioner's designee [~~, at~~
4 ~~least quarterly until final disposition of the complaint,~~] shall
5 periodically notify the [~~person filing the~~] complaint parties [~~and~~
6 ~~each person who is a subject of the complaint~~] of the status of the
7 complaint until final disposition [~~investigation,~~] unless the
8 notice would jeopardize a law enforcement [~~an undercover~~]
9 investigation.

10 SECTION 9.104. Subchapter D, Chapter 4002, Government Code,
11 as effective January 1, 2022, is amended to conform to Section 4,
12 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
13 Session, 2019, by adding Section 4002.1535 to read as follows:

14 Sec. 4002.1535. ALTERNATIVE RULEMAKING AND DISPUTE
15 RESOLUTION. (a) The board shall develop a policy to encourage the
16 use of:

17 (1) negotiated rulemaking procedures under Chapter
18 2008 for the adoption of board rules; and

19 (2) appropriate alternative dispute resolution
20 procedures under Chapter 2009 to assist in the resolution of
21 internal and external disputes under the board's jurisdiction.

22 (b) The board's procedures relating to alternative dispute
23 resolution must conform, to the extent possible, to any model
24 guidelines issued by the State Office of Administrative Hearings
25 for the use of alternative dispute resolution by state agencies.

26 (c) The board shall:

27 (1) coordinate the implementation of the policy

1 adopted under Subsection (a);

2 (2) provide training as needed to implement the
3 procedures for negotiated rulemaking or alternative dispute
4 resolution; and

5 (3) collect data concerning the effectiveness of those
6 procedures.

7 SECTION 9.105. Section 4002.163, Government Code, as
8 effective January 1, 2022, is amended to conform to Section 1,
9 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
10 Session, 2019, to read as follows:

11 Sec. 4002.163. ANNUAL REPORT. On or before January 1 of
12 each year, the board, with the advice of the commissioner, shall
13 report to the governor and the presiding officer of each house of
14 the legislature about the administration of this title and plans
15 and needs for future securities regulation. The report must
16 include:

17 (1) a detailed accounting of all funds received and
18 disbursed by the board during the preceding year, including the
19 amount spent by the board assisting in the criminal prosecution of
20 cases under Section 4007.001(e); and

21 (2) with respect to cases referred during the
22 preceding year by the board under Section 4007.001(c), a breakdown
23 by county and district attorney of the number of cases where:

24 (A) criminal charges were filed;

25 (B) prosecution is ongoing; or

26 (C) prosecution was completed.

27 SECTION 9.106. Section 4004.351(2), Government Code, as

1 effective January 1, 2022, is amended to conform to Section
2 21.001(19), Chapter 467 (H.B. 4170), Acts of the 86th Legislature,
3 Regular Session, 2019, to read as follows:

4 (2) "Exploitation," "financial exploitation," and
5 "vulnerable adult" have the meanings assigned by Section 281.001
6 [~~280.001~~], Finance Code.

7 SECTION 9.107. Section 4006.054, Government Code, as
8 effective January 1, 2022, is amended to conform to Section 7,
9 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
10 Session, 2019, to read as follows:

11 Sec. 4006.054. AMENDMENT OR DUPLICATE OF REGISTRATION
12 CERTIFICATE OR EVIDENCE OF REGISTRATION[~~, REGISTRATION OF BRANCH~~
13 ~~OFFICE~~]. The commissioner or board shall charge and collect a fee
14 of \$25 for a filing to:

15 (1) amend the registration certificate of a dealer or
16 investment adviser or the evidence of registration of an agent or
17 investment adviser representative; or

18 (2) issue a duplicate certificate or evidence of
19 registration[~~, or~~

20 [~~(3) register a branch office~~].

21 SECTION 9.108. Section 4007.001, Government Code, as
22 effective January 1, 2022, is amended to conform to Section 5,
23 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
24 Session, 2019, by adding Subsections (e), (f), (g), (h), and (i) to
25 read as follows:

26 (e) Subject to Subsection (h), the board may provide
27 assistance to a county or district attorney who requests assistance

1 in a criminal prosecution involving an alleged violation of this
2 title that is referred by the board to the attorney under Subsection
3 (c).

4 (f) Before referring a case to a county or district attorney
5 for prosecution as required by Subsection (c), the commissioner
6 shall make a determination of:

7 (1) the potential resources of the board, including
8 the number and types of board employees, that would be needed to
9 assist in the prosecution of the case; and

10 (2) the availability of board employees and other
11 resources necessary to carry out any request for assistance.

12 (g) The board by rule shall establish a process to enable
13 the commissioner to determine whether to provide any requested
14 assistance to the appropriate prosecuting attorney following
15 referral of a case under Subsection (c) and, if so, the appropriate
16 amount of such assistance. The rules must require the commissioner
17 to consider:

18 (1) whether resources are available after taking into
19 account any ongoing board investigations, investigations under
20 Section 4007.053, and criminal prosecutions for which assistance is
21 being provided;

22 (2) the seriousness of the alleged violation or
23 violations in the case, including the severity of the harm and
24 number of victims involved; and

25 (3) the state's interest in the prosecution of a
26 particular case and the availability of other methods of redress
27 for the alleged violations, including the pursuit of a civil

1 action.

2 (h) In response to a request for assistance under Subsection
3 (e), the board may provide only those board employees or resources,
4 if any, determined to be available for that case in accordance with
5 Subsection (f). If a change in circumstances occurs after the time
6 of the determination under Subsection (f), the commissioner may
7 reconsider the commissioner's determination under that subsection
8 and may increase or reduce the number of board employees or other
9 resources to be made available for a case using the process
10 established under Subsection (g).

11 (i) The attorney general, at least biennially, shall review
12 a sample of criminal cases for which the board provided requested
13 assistance to county or district attorneys under this section. The
14 review must include an evaluation of the pre-referral determination
15 of available resources to support each case being reviewed as
16 required by Subsection (f) and any subsequent determination of
17 those resources made by the commissioner as authorized under
18 Subsection (h). The attorney general may report any concerns the
19 attorney general has in connection with the board's provision of
20 assistance to the standing committee of each house of the
21 legislature with primary jurisdiction over board matters.

22 SECTION 9.109. Subchapter C, Chapter 4007, Government Code,
23 as effective January 1, 2022, is amended to conform to Section 6,
24 Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular
25 Session, 2019, by adding Section 4007.108 to read as follows:

26 Sec. 4007.108. REFUND. (a) Subject to Subsection (b), the
27 commissioner may order a dealer, agent, investment adviser, or

1 investment adviser representative regulated under this title to pay
2 a refund to a client or a purchaser of securities or services from
3 the person or company as provided in an agreed order or an
4 enforcement order instead of or in addition to imposing an
5 administrative penalty or other sanctions.

6 (b) The amount of a refund ordered as provided in an agreed
7 order or an enforcement order may not exceed the amount the client
8 or purchaser paid to the dealer, agent, investment adviser, or
9 investment adviser representative for a service or transaction
10 regulated by the board. The commissioner may not require payment of
11 other damages or estimate harm in a refund order.

12 SECTION 9.110. Sections 1 through 7, Chapter 772 (H.B.
13 1535), Acts of the 86th Legislature, Regular Session, 2019, which
14 amended The Securities Act (Article 581-1 et seq., Vernon's Texas
15 Civil Statutes), are repealed.

16 SECTION 9.111. The heading to Title 19, Vernon's Texas
17 Civil Statutes, is repealed.

18 SECTION 9.112. This part takes effect January 1, 2022.

19 ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE

20 SECTION 10.001. Section 34.0158, Health and Safety Code, as
21 added by Chapter 514 (S.B. 436), Acts of the 86th Legislature,
22 Regular Session, 2019, is redesignated as Section 34.01581, Health
23 and Safety Code, and amended to conform to Chapter 601 (S.B. 750),
24 Acts of the 86th Legislature, Regular Session, 2019, to read as
25 follows:

26 Sec. 34.01581 [~~34.0158~~]. OPIOID USE DISORDER MATERNAL AND
27 NEWBORN HEALTH INITIATIVES. (a) The department, in collaboration

1 with the review committee [~~task force~~], shall develop and implement
2 initiatives to:

3 (1) improve screening procedures to better identify
4 and care for women with opioid use disorder;

5 (2) improve continuity of care for women with opioid
6 use disorder by ensuring that health care providers refer the women
7 to appropriate treatment and verify the women receive the
8 treatment;

9 (3) optimize health care provided to pregnant women
10 with opioid use disorder;

11 (4) optimize health care provided to newborns with
12 neonatal abstinence syndrome by encouraging maternal engagement;

13 (5) increase access to medication-assisted treatment
14 for women with opioid use disorder during pregnancy and the
15 postpartum period; and

16 (6) prevent opioid use disorder by reducing the number
17 of opioid drugs prescribed before, during, and following a
18 delivery.

19 (b) Before implementing the initiatives described by
20 Subsection (a), the department may conduct a limited pilot program
21 in one or more geographic areas of this state to implement the
22 initiatives at hospitals licensed under Chapter 241 with expertise
23 in caring for newborns with neonatal abstinence syndrome or related
24 conditions. The pilot program must conclude not later than March 1,
25 2020. This subsection expires September 1, 2021.

26 (c) Using existing resources, the department, in
27 collaboration with the review committee [~~task force~~], shall promote

1 and facilitate the use among health care providers in this state of
2 maternal health informational materials, including tools and
3 procedures related to best practices in maternal health to improve
4 obstetrical care for women with opioid use disorder.

5 SECTION 10.002. Section 34.020(e), Health and Safety Code,
6 as added by Chapter 973 (S.B. 748), Acts of the 86th Legislature,
7 Regular Session, 2019, is amended to conform to the repeal of
8 Section 531.02176, Government Code, by Chapters 964 (S.B. 670) and
9 1061 (H.B. 1063), Acts of the 86th Legislature, Regular Session,
10 2019, to read as follows:

11 (e) If [~~Notwithstanding Section 531.02176, Government Code,~~
12 ~~and if~~] the commission determines it is feasible and
13 cost-effective, the commission may:

14 (1) provide home telemonitoring services and
15 necessary durable medical equipment to women participating in the
16 program to the extent the commission anticipates the services and
17 equipment will reduce unnecessary emergency room visits or
18 hospitalizations; and

19 (2) reimburse providers under Medicaid for the
20 provision of home telemonitoring services and durable medical
21 equipment under the program.

22 SECTION 10.003. Section 241.1031(a), Health and Safety
23 Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the
24 86th Legislature, Regular Session, 2019, to read as follows:

25 (a) A hospital may not destroy a medical record from the
26 forensic medical examination of a sexual assault victim conducted
27 under Subchapter F or G, Chapter 56A [~~Article 56.06 or 56.065~~], Code

1 of Criminal Procedure, until the 20th anniversary of the date the
2 record was created.

3 SECTION 10.004. (a) Section 254.156, Health and Safety
4 Code, as added by Chapter 1062 (H.B. 1112), Acts of the 86th
5 Legislature, Regular Session, 2019, is repealed as duplicative of
6 Section 254.158, Health and Safety Code, as added by Chapter 1093
7 (H.B. 2041), Acts of the 86th Legislature, Regular Session, 2019.

8 (b) Sections 254.203(a) and (b), Health and Safety Code, as
9 amended by Chapters 1062 (H.B. 1112) and 1093 (H.B. 2041), Acts of
10 the 86th Legislature, Regular Session, 2019, are reenacted to read
11 as follows:

12 (a) The department may petition a district court for a
13 temporary restraining order to restrain a continuing violation of
14 the standards or licensing requirements provided under this chapter
15 or of Section 254.158 if the department finds that the violation
16 creates an immediate threat to the health and safety of the patients
17 of a facility or of the public.

18 (b) A district court, on petition of the department and on a
19 finding by the court that a person is violating the standards or
20 licensing requirements provided under this chapter or is violating
21 Section 254.158, may by injunction:

- 22 (1) prohibit a person from continuing the violation;
23 (2) restrain or prevent the establishment or operation
24 of a facility without a license issued under this chapter; or
25 (3) grant any other injunctive relief warranted by the
26 facts.

27 SECTION 10.005. Section 323.005(a), Health and Safety Code,

1 as amended by Chapters 408 (H.B. 8), 469 (H.B. 4173), and 1037 (H.B.
2 616), Acts of the 86th Legislature, Regular Session, 2019, is
3 reenacted and further amended to conform to Chapter 469 (H.B.
4 4173), Acts of the 86th Legislature, Regular Session, 2019, to read
5 as follows:

6 (a) The department shall develop a standard information
7 form for sexual assault survivors that must include:

8 (1) a detailed explanation of the forensic medical
9 examination required to be provided by law, including a statement
10 that photographs may be taken of the genitalia;

11 (2) information regarding treatment of sexually
12 transmitted infections and pregnancy, including:

13 (A) generally accepted medical procedures;

14 (B) appropriate medications; and

15 (C) any contraindications of the medications
16 prescribed for treating sexually transmitted infections and
17 preventing pregnancy;

18 (3) information regarding drug-facilitated sexual
19 assault, including the necessity for an immediate urine test for
20 sexual assault survivors who may have been involuntarily drugged;

21 (4) information regarding crime victims compensation,
22 including:

23 (A) a statement that public agencies are
24 responsible for paying for the forensic portion of an examination
25 conducted under Subchapter F or G, Chapter 56A [~~Article 56.06 or~~
26 ~~56.065~~], Code of Criminal Procedure, and for the evidence
27 collection kit used in connection with the examination and that the

1 health care facility or provider, as applicable, is responsible for
2 seeking reimbursement for those costs; and

3 (B) information regarding the reimbursement of
4 the survivor for the medical portion of the examination;

5 (5) an explanation that consent for the forensic
6 medical examination may be withdrawn at any time during the
7 examination;

8 (6) the name and telephone number of sexual assault
9 crisis centers statewide; and

10 (7) information regarding postexposure prophylaxis
11 for HIV infection.

12 SECTION 10.006. Section 323.0052(a), Health and Safety
13 Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the
14 86th Legislature, Regular Session, 2019, to read as follows:

15 (a) The department shall develop a standard information
16 form that, as described by Subsection (b), is to be provided to
17 sexual assault survivors who have not given signed, written consent
18 to a health care facility to release the evidence as provided by
19 Section 420.0735, Government Code. The form must include the
20 following information:

21 (1) the Department of Public Safety's policy regarding
22 storage of evidence of a sexual assault or other sex offense that is
23 collected under Subchapter G, Chapter 56A [~~Article 56.065~~], Code of
24 Criminal Procedure, including:

25 (A) a statement that the evidence will be stored
26 until the fifth anniversary of the date on which the evidence was
27 collected before the evidence becomes eligible for destruction; and

1 (B) the department's procedures regarding the
2 notification of the survivor before a planned destruction of the
3 evidence;

4 (2) a statement that the survivor may request the
5 release of the evidence to a law enforcement agency and report a
6 sexual assault or other sex offense to the agency at any time;

7 (3) the name, phone number, and e-mail address of the
8 law enforcement agency with jurisdiction over the offense; and

9 (4) the name and phone number of a local rape crisis
10 center.

11 SECTION 10.007. Section [382.05155\(d\)](#), Health and Safety
12 Code, as amended by Chapters 393 (S.B. 698) and 1173 (H.B. 3317),
13 Acts of the 86th Legislature, Regular Session, 2019, is reenacted
14 to read as follows:

15 (d) The commission by rule may add a surcharge to an
16 application fee assessed under this chapter for an expedited
17 application in an amount sufficient to cover the expenses incurred
18 by the expediting, including overtime, costs of full-time
19 equivalent commission employees to support the expedited
20 processing of air permit applications, contract labor, and other
21 costs. The surcharge is considered part of the application fee and
22 shall be deposited with the fee to the credit of the clean air
23 account established under Section [382.0622\(b\)](#). Money from the
24 surcharge collected under this section may be used to support the
25 expedited processing of air permit applications under this section.

26 SECTION 10.008. Section [780.003\(b\)](#), Health and Safety Code,
27 as amended by Chapters 372 (H.B. 1631) and 1094 (H.B. 2048), Acts of

1 the 86th Legislature, Regular Session, 2019, is reenacted and
2 amended and further amended to conform to Chapter 594 (S.B. 604),
3 Acts of the 86th Legislature, Regular Session, 2019, to read as
4 follows:

5 (b) The account is composed of money deposited to the credit
6 of the account under Sections 542.4031, [~~and~~] 709.002, and
7 1006.153, Transportation Code, [~~under Section 10, Article~~
8 ~~4413(37), Revised Statutes,~~] and under Section 780.002 of this
9 code.

10 SECTION 10.009. Section 1001.205, Health and Safety Code,
11 as amended by Chapters 1327 (H.B. 4429), 352 (H.B. 18), and 755
12 (H.B. 1070), Acts of the 86th Legislature, Regular Session, 2019,
13 is reenacted and amended to read as follows:

14 Sec. 1001.205. REPORTS. (a) Not later than September 30 of
15 each year, a local mental health authority shall provide to the
16 department the number of:

17 (1) employees and contractors of the authority who
18 were trained as mental health first aid trainers under Section
19 1001.202 during the preceding fiscal year, the number of trainers
20 who left the program for any reason during the preceding fiscal
21 year, and the number of active trainers;

22 (2) university employees, school district employees,
23 and school resource officers who completed a mental health first
24 aid training program offered by the authority under Section
25 1001.203 during the preceding fiscal year categorized by local
26 mental health authority region, university or school district, as
27 applicable, and category of personnel;

1 (3) individuals who are not university employees,
2 school district employees, or school resource officers who
3 completed a mental health first aid training program offered by the
4 authority during the preceding fiscal year; and

5 (4) veterans and immediate family members of veterans
6 who completed the veterans module of a mental health first aid
7 training program offered by the authority during the preceding
8 fiscal year.

9 (b) Not later than December 1 of each year, the department
10 shall compile the information submitted by local mental health
11 authorities as required by Subsection (a) and submit a report to the
12 legislature containing:

13 (1) the number of authority employees and contractors
14 trained as mental health first aid trainers during the preceding
15 fiscal year, the number of trainers who left the program for any
16 reason during the preceding fiscal year, and the number of active
17 trainers;

18 (2) the number of university employees, school
19 district employees, and school resource officers who completed a
20 mental health first aid training program provided by an authority
21 during the preceding fiscal year categorized by local mental health
22 authority region, university or school district, as applicable, and
23 category of personnel;

24 (3) the number of individuals who are not university
25 employees, school district employees, or school resource officers
26 who completed a mental health first aid training program provided
27 by an authority during the preceding fiscal year; ~~and~~

1 (4) veterans and immediate family members of veterans
2 who completed the veterans module of a mental health first aid
3 training program provided by an authority during the preceding
4 fiscal year; and

5 (5) [~~(4)~~] a detailed accounting of expenditures of
6 money appropriated for the purpose of implementing this subchapter.

7 (c) The department shall develop and provide to local mental
8 health authorities a form to be used for the reporting of
9 information required under Subsection (a), including the reporting
10 of each category of personnel described by that subsection.

11 ARTICLE 11. CHANGES RELATING TO HUMAN RESOURCES CODE

12 SECTION 11.001. Section 45.002(5), Human Resources Code, is
13 amended to conform to Chapter 319 (S.B. 11), Acts of the 85th
14 Legislature, Regular Session, 2017, to read as follows:

15 (5) "Governmental entity" means:

16 (A) this state or a municipality or other
17 political subdivision of this state;

18 (B) any agency of this state or of a municipality
19 or other political subdivision of this state, including a
20 department, bureau, board, commission, office, agency, council,
21 and public institution of higher education; or

22 (C) a single source continuum contractor in this
23 state providing services identified under Section 264.153
24 [~~264.126~~], Family Code.

25 ARTICLE 12. CHANGES RELATING TO INSURANCE CODE

26 SECTION 12.001. Section 2210.2515(i), Insurance Code, is
27 amended to conform to the amendment of Chapter 1001, Occupations

1 Code, by Chapter 1232 (H.B. 1523), Acts of the 86th Legislature,
2 Regular Session, 2019, to read as follows:

3 (i) The department is authorized to submit a formal
4 complaint under Chapter 1001, Occupations Code, to the Texas Board
5 of Professional Engineers and Land Surveyors related to the
6 engineering work of a professional engineer as reflected in the
7 sealed post-construction evaluation report or other materials
8 submitted by an engineer under Subsection (c).

9 SECTION 12.002. Sections 2210.581(a) and (b), Insurance
10 Code, as amended by Chapters 140 (H.B. 1944) and 790 (H.B. 1900),
11 Acts of the 86th Legislature, Regular Session, 2019, are reenacted
12 and amended to read as follows:

13 (a) Subject to Subsection (b), the commissioner, on a
14 showing of good cause, may by rule:

15 (1) extend any deadline established under this
16 subchapter; and

17 (2) set the length of the extension [~~and set the number~~
18 ~~of days by which the deadline is extended~~].

19 (b) With reference to [~~The~~] deadlines applicable to the
20 association only, all deadline extensions related to claims arising
21 from an occurrence [~~storm~~] may not exceed 120 days in the aggregate
22 [~~for deadlines applicable only to the association~~]. This subsection
23 does not affect the extension of a deadline applicable to a claimant
24 or to both the association and a claimant. [~~The limitation on~~
25 ~~extensions under this subsection does not apply to the extension of~~
26 ~~a deadline imposed on a claimant, or on both a claimant and the~~
27 ~~association.~~]

1 SECTION 12.003. Section 2210.581(d), Insurance Code, as
2 added by Chapter 140 (H.B. 1944), Acts of the 86th Legislature,
3 Regular Session, 2019, is repealed as duplicative of Section
4 2210.581(d), Insurance Code, as added by Chapter 790 (H.B. 1900),
5 Acts of the 86th Legislature, Regular Session, 2019.

6 ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

7 SECTION 13.001. Section 51.402(c), Natural Resources Code,
8 as amended by Chapters 493 (H.B. 4388) and 524 (S.B. 608), Acts of
9 the 86th Legislature, Regular Session, 2019, is reenacted to read
10 as follows:

11 (c) On January 1 of each even-numbered year, the market
12 value of the investments made under Subsections (a)(6) and (8) may
13 not exceed an amount that is equal to 15 percent of the market value
14 of the assets held by the board and the State Board of Education as
15 part of the permanent school fund.

16 ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

17 SECTION 14.001. Section 51.252(e), Occupations Code, as
18 added by Chapter 289 (H.B. 2452), Acts of the 86th Legislature,
19 Regular Session, 2019, is repealed as duplicative of Section
20 51.252(e), Occupations Code, as added by Chapter 1144 (H.B. 2847),
21 Acts of the 86th Legislature, Regular Session, 2019.

22 SECTION 14.002. Section 153.003(b), Occupations Code, is
23 amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th
24 Legislature, Regular Session, 2019, to read as follows:

25 (b) The rules adopted under this section must prohibit a
26 physician from destroying a medical record from the forensic
27 medical examination of a sexual assault victim conducted under

1 Subchapter F or G, Chapter 56A [~~Article 56.06 or 56.065~~], Code of
2 Criminal Procedure, until the 20th anniversary of the date the
3 record was created.

4 SECTION 14.003. Sections 503.207(c) and (d) and 505.205(d)
5 and (e), Occupations Code, as added by Chapter 91 (H.B. 125), Acts
6 of the 86th Legislature, Regular Session, 2019, are repealed as
7 duplicative of Sections 507.160(c) and (d), Occupations Code, as
8 added by Chapter 768 (H.B. 1501), Acts of the 86th Legislature,
9 Regular Session, 2019.

10 SECTION 14.004. Section 2022.001(b), Occupations Code, as
11 added by Chapter 963 (S.B. 1969), Acts of the 85th Legislature,
12 Regular Session, 2017, is amended to conform to Chapter 131 (H.B.
13 1106), Acts of the 85th Legislature, Regular Session, 2017, to read
14 as follows:

15 (b) The ex officio members are:

16 (1) the chair of the Public Safety Commission, or a
17 member of the Public Safety Commission designated by the chair; and

18 (2) the commissioner of agriculture or the
19 commissioner's [~~comptroller or the comptroller's~~] designee.

20 SECTION 14.005. Section 2301.476(a)(2), Occupations Code,
21 is amended to conform to Chapters 1233 (H.B. 1548) and 882 (H.B.
22 3171), Acts of the 86th Legislature, Regular Session, 2019, to read
23 as follows:

24 (2) "Type of motor vehicle" means the classification
25 of a motor vehicle as one of the following:

26 (A) a passenger car or a truck, including a
27 pickup truck, van, panel delivery truck, or a carryall truck, with a

1 gross vehicle weight rating of 14,000 pounds or less that is used
2 primarily to transport persons or property;

3 (B) a motorcycle or motor-driven cycle, which
4 includes:

5 (i) an all-terrain vehicle, as defined by
6 Section 551A.001 [~~502.001~~], Transportation Code;

7 (ii) a recreational off-highway vehicle, as
8 defined by Section 551A.001 [~~502.001~~], Transportation Code;

9 (iii) an autocycle, as defined by Section
10 501.008, Transportation Code;

11 (iv) a moped, as defined by Section
12 541.201, Transportation Code; or

13 (v) a motorcycle, as defined by Section
14 541.201, Transportation Code; [~~or~~

15 [~~(vi) a motor-driven cycle, as defined by~~
16 ~~Section 541.201, Transportation Code,~~]

17 (C) an engine, transmission, or rear axle, as
18 described by Section 2301.002(23)(C);

19 (D) a medium-duty or heavy-duty truck with a
20 gross vehicle weight rating of more than 14,000 pounds;

21 (E) a bus, as defined by Section 541.201,
22 Transportation Code;

23 (F) a road tractor or truck tractor, as defined
24 by Section 541.201, Transportation Code;

25 (G) a firefighting vehicle; or

26 (H) a recreational vehicle, which includes:

27 (i) a motor home;

- 1 (ii) a towable recreational vehicle;
- 2 (iii) a travel trailer, as defined by
- 3 Section 501.002, Transportation Code; or
- 4 (iv) a house trailer, as defined by Section
- 5 501.002, Transportation Code.

6 ARTICLE 15. CHANGES RELATING TO PARKS AND WILDLIFE CODE

7 SECTION 15.001. Section 11.032(b), Parks and Wildlife Code,

8 as amended by Chapters 174 (H.B. 1300) and 426 (S.B. 733), Acts of

9 the 86th Legislature, Regular Session, 2019, is reenacted and

10 amended to read as follows:

11 (b) The department shall deposit to the credit of the game,

12 fish, and water safety account all revenue, less allowable costs,

13 from the following sources:

14 (1) all types of fishing licenses and stamps and

15 shrimping licenses;

16 (2) all types of hunting licenses and stamps;

17 (3) trapping licenses and other licenses relating to

18 the taking, propagation, and sale of fur-bearing animals or their

19 pelts;

20 (4) sale of marl, sand, gravel, shell, and mudshell;

21 (5) oyster bed rentals and permits;

22 (6) federal funds received for fish and wildlife

23 research, management, development and conservation, resource

24 protection, and law enforcement, unless the funds are received for

25 the specific purposes of Subchapter F, Chapter 77;

26 (7) sale of property, less advertising costs,

27 purchased from this account or a special fund or account that is now

1 part of this account;

2 (8) fines and penalties collected for violations of a
3 law pertaining to the protection and conservation of wild birds,
4 wild fowl, wild animals, fish, shrimp, oysters, game birds and
5 animals, fur-bearing animals, alligators, and any other wildlife
6 resources of this state;

7 (9) sale of rough fish by the department;

8 (10) fees for importation permits;

9 (11) fees from supplying fish for or placing fish in
10 water located on private property;

11 (12) sale of seized pelts;

12 (13) sale or lease of grazing rights to and the
13 products from game preserves, sanctuaries, and management areas;

14 (14) contracts for the removal of fur-bearing animals
15 and reptiles from wildlife management areas;

16 (15) vessel registration fees;

17 (16) vessel manufacturer or dealer licensing fees;

18 (17) fines or penalties imposed by a court for
19 violation of water safety laws contained in Chapter 31 of this code;

20 (18) alligator hunter's or alligator buyer's licenses;

21 (19) sale of alligators or any part of an alligator by
22 the department;

23 (20) fees and revenue collected under Section
24 11.027(b) or (c) of this code that are associated with the
25 conservation of fish and wildlife;

26 (21) fees related to cultivated oyster mariculture;

27 (22) vessel and outboard motor titling fees; ~~and~~

1 (23) participation fees collected under Section
2 43.976; and

3 (24) [~~(23)~~] any other source provided by law.

4 ARTICLE 16. CHANGES RELATING TO PENAL CODE

5 SECTION 16.001. Sections 12.50(b) and (c), Penal Code, as
6 amended by Chapters 418 (S.B. 201) and 1058 (H.B. 1028), Acts of the
7 86th Legislature, Regular Session, 2019, are reenacted to read as
8 follows:

9 (b) The increase in punishment authorized by this section
10 applies only to an offense under:

- 11 (1) Section 22.01;
- 12 (2) Section 28.02;
- 13 (3) Section 29.02;
- 14 (4) Section 30.02;
- 15 (5) Section 30.03;
- 16 (6) Section 30.04;
- 17 (7) Section 30.05; and
- 18 (8) Section 31.03.

19 (c) If an offense listed under Subsection (b)(1), (5), (6),
20 (7), or (8) is punishable as a Class A misdemeanor, the minimum term
21 of confinement for the offense is increased to 180 days. If an
22 offense listed under Subsection (b)(2), (4), or (8) is punishable
23 as a felony of the first degree, the punishment for that offense may
24 not be increased under this section.

25 SECTION 16.002. Section 22.011(f), Penal Code, as amended
26 by Chapters 436 (S.B. 1259) and 738 (H.B. 667), Acts of the 86th
27 Legislature, Regular Session, 2019, is reenacted and amended to

1 read as follows:

2 (f) An offense under this section is a felony of the second
3 degree, except that an offense under this section is:

4 (1) a felony of the first degree if the victim was:

5 (A) [~~(1)~~] a person whom the actor was prohibited
6 from marrying or purporting to marry or with whom the actor was
7 prohibited from living under the appearance of being married under
8 Section 25.01; or

9 (B) [~~(2)~~] a person with whom the actor was
10 prohibited from engaging in sexual intercourse or deviate sexual
11 intercourse under Section 25.02; or

12 (2) a state jail felony if the offense is committed
13 under Subsection (a)(1) and the actor has not received express
14 consent as described by Subsection (b)(12).

15 SECTION 16.003. Section 25.07(g), Penal Code, is amended to
16 conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature,
17 Regular Session, 2019, to read as follows:

18 (g) An offense under this section is a Class A misdemeanor,
19 except the offense is:

20 (1) subject to Subdivision (2), a state jail felony if
21 it is shown at the trial of the offense that the defendant violated
22 an order issued as a result of an application filed under Article
23 7B.001(a-1) [~~7A.01(a-1)~~], Code of Criminal Procedure; or

24 (2) a felony of the third degree if it is shown on the
25 trial of the offense that the defendant:

26 (A) has previously been convicted two or more
27 times of an offense under this section or two or more times of an

1 offense under Section 25.072, or has previously been convicted of
2 an offense under this section and an offense under Section 25.072;
3 or

4 (B) has violated the order or condition of bond
5 by committing an assault or the offense of stalking.

6 SECTION 16.004. Section 37.09(c-1), Penal Code, is amended
7 to correct a reference to read as follows:

8 (c-1) It is a defense to prosecution under Subsection (a) or
9 (d)(1) that the record, document, or thing was visual material
10 prohibited under Section 43.261 that was destroyed as described by
11 Subsection (f)(3) [~~(f)(3)(B)~~] of that section.

12 SECTION 16.005. Section 46.15(h), Penal Code, is amended to
13 conform to Chapter 216 (H.B. 446), Acts of the 86th Legislature,
14 Regular Session, 2019, to read as follows:

15 (h) The provisions of Section [~~Sections 46.02 and~~] 46.03
16 prohibiting the possession or carrying of a club do not apply to a
17 code enforcement officer who:

18 (1) holds a certificate of registration issued under
19 Chapter 1952, Occupations Code; and

20 (2) possesses or carries an instrument used
21 specifically for deterring an animal bite while the officer is:

22 (A) performing official duties; or

23 (B) traveling to or from a place of duty.

24 ARTICLE 17. CHANGES RELATING TO PROPERTY CODE

25 SECTION 17.001. Section 74.501(e), Property Code, as
26 amended by Chapters 267 (S.B. 1420) and 897 (H.B. 3598), Acts of the
27 86th Legislature, Regular Session, 2019, is reenacted to read as

1 follows:

2 (e) Except as provided by Subsection (f) or Section 551.051,
3 Estates Code, the comptroller may not pay to the following persons a
4 claim to which this section applies:

5 (1) a creditor, a judgment creditor, a lienholder, or
6 an assignee of the reported owner or of the owner's heirs;

7 (2) a person holding a power of attorney from the
8 reported owner or the owner's heirs; or

9 (3) a person attempting to make a claim on behalf of a
10 corporation that was previously forfeited, dissolved, or
11 terminated, if the comptroller finds that:

12 (A) the corporation was revived for the purpose
13 of making a claim under this section; and

14 (B) the person submitting the claim was not an
15 authorized representative of the corporation at the time of the
16 corporation's forfeiture, dissolution, or termination.

17 ARTICLE 18. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

18 SECTION 18.001. Section 5012.0003, Special District Local
19 Laws Code, is amended to correct a reference to read as follows:

20 Sec. 5012.0003. AUTHORITY TERRITORY. The authority is
21 composed of the territory in Jefferson County described by Section
22 1, Chapter 379, Acts of the 63rd Legislature, Regular Session,
23 1973, as that territory may have been modified under:

24 (1) Subchapter H, Chapter 62, Water Code; or

25 (2) other law.

26 ARTICLE 19. CHANGES RELATING TO TAX CODE

27 SECTION 19.001. Section 25.025(a), Tax Code, as amended by

1 Chapters 467 (H.B. 4170), 469 (H.B. 4173), 633 (S.B. 1494), 1213
2 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature,
3 Regular Session, 2019, is reenacted and amended to read as follows:

4 (a) This section applies only to:

5 (1) a current or former peace officer as defined by
6 Article 2.12, Code of Criminal Procedure, and the spouse or
7 surviving spouse of the peace officer;

8 (2) the adult child of a current peace officer as
9 defined by Article 2.12, Code of Criminal Procedure;

10 (3) a county jailer as defined by Section 1701.001,
11 Occupations Code;

12 (4) an employee of the Texas Department of Criminal
13 Justice;

14 (5) a commissioned security officer as defined by
15 Section 1702.002, Occupations Code;

16 (6) an individual who shows that the individual, the
17 individual's child, or another person in the individual's household
18 is a victim of family violence as defined by Section 71.004, Family
19 Code, by providing:

20 (A) a copy of a protective order issued under
21 Chapter 85, Family Code, or a magistrate's order for emergency
22 protection issued under Article 17.292, Code of Criminal Procedure;
23 or

24 (B) other independent documentary evidence
25 necessary to show that the individual, the individual's child, or
26 another person in the individual's household is a victim of family
27 violence;

1 (7) an individual who shows that the individual, the
2 individual's child, or another person in the individual's household
3 is a victim of sexual assault or abuse, stalking, or trafficking of
4 persons by providing:

5 (A) a copy of a protective order issued under
6 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a
7 magistrate's order for emergency protection issued under Article
8 17.292, Code of Criminal Procedure; or

9 (B) other independent documentary evidence
10 necessary to show that the individual, the individual's child, or
11 another person in the individual's household is a victim of sexual
12 assault or abuse, stalking, or trafficking of persons;

13 (8) a participant in the address confidentiality
14 program administered by the attorney general under Subchapter B,
15 Chapter 58, Code of Criminal Procedure, who provides proof of
16 certification under Article 58.059, Code of Criminal Procedure;

17 (9) a federal judge, a state judge, or the spouse of a
18 federal judge or state judge;

19 (10) a current or former district attorney, criminal
20 district attorney, or county or municipal attorney whose
21 jurisdiction includes any criminal law or child protective services
22 matters;

23 (11) a current or former employee of a district
24 attorney, criminal district attorney, or county or municipal
25 attorney whose jurisdiction includes any criminal law or child
26 protective services matters;

27 (12) an officer or employee of a community supervision

1 and corrections department established under Chapter 76,
2 Government Code, who performs a duty described by Section 76.004(b)
3 of that code;

4 (13) a criminal investigator of the United States as
5 described by Article 2.122(a), Code of Criminal Procedure;

6 (14) a police officer or inspector of the United
7 States Federal Protective Service;

8 (15) a current or former United States attorney or
9 assistant United States attorney and the spouse and child of the
10 attorney;

11 (16) a current or former employee of the office of the
12 attorney general who is or was assigned to a division of that office
13 the duties of which involve law enforcement;

14 (17) a medical examiner or person who performs
15 forensic analysis or testing who is employed by this state or one or
16 more political subdivisions of this state;

17 (18) a current or former member of the United States
18 armed forces who has served in an area that the president of the
19 United States by executive order designates for purposes of 26
20 U.S.C. Section 112 as an area in which armed forces of the United
21 States are or have engaged in combat;

22 (19) a current or former employee of the Texas
23 Juvenile Justice Department or of the predecessors in function of
24 the department;

25 (20) a current or former juvenile probation or
26 supervision officer certified by the Texas Juvenile Justice
27 Department, or the predecessors in function of the department,

1 under Title 12, Human Resources Code;

2 (21) a current or former employee of a juvenile
3 justice program or facility, as those terms are defined by Section
4 261.405, Family Code;

5 (22) a current or former employee of the Texas Civil
6 Commitment Office or the predecessor in function of the office or a
7 division of the office; ~~and~~

8 (23) a current or former employee of a federal judge or
9 state judge;

10 (24) a current or former child protective services
11 caseworker, adult protective services caseworker, or investigator
12 for the Department of Family and Protective Services or a current or
13 former employee of a department contractor performing child
14 protective services caseworker, adult protective services
15 caseworker, or investigator functions for the contractor on behalf
16 of the department; ~~and~~

17 (25) ~~(24)~~ a state officer elected statewide or a
18 member of the legislature; and

19 (26) (26) ~~(24)~~ a firefighter or volunteer firefighter or
20 emergency medical services personnel as defined by Section 773.003,
21 Health and Safety Code.

22 SECTION 19.002. Section 26.08(n-1), Tax Code, is repealed
23 as executed.

24 SECTION 19.003. Section 151.461(5), Tax Code, as amended by
25 Chapters 1332 (H.B. 4542) and 1359 (H.B. 1545), Acts of the 86th
26 Legislature, Regular Session, 2019, is reenacted and amended to
27 read as follows:

1 (5) "Retailer" means a person required to hold:

2 (A) a wine and malt beverage retailer's permit
3 under Chapter 25, Alcoholic Beverage Code;

4 (B) a wine and malt beverage retailer's
5 off-premise permit under Chapter 26, Alcoholic Beverage Code;

6 (C) a nonprofit entity temporary event permit
7 under Chapter 30, Alcoholic Beverage Code;

8 (D) a mixed beverage permit under Chapter 28,
9 Alcoholic Beverage Code;

10 (E) a private club registration permit under
11 Chapter 32, Alcoholic Beverage Code;

12 (F) a certificate issued to a fraternal or
13 veterans organization under Section 32.11, Alcoholic Beverage
14 Code;

15 (G) a retail dealer's on-premise license under
16 Chapter 69, Alcoholic Beverage Code; ~~[or]~~

17 (H) a retail dealer's off-premise license under
18 Chapter 71, Alcoholic Beverage Code, except for a dealer who also
19 holds a package store permit under Chapter 22, Alcoholic Beverage
20 Code; or

21 (I) ~~[(M)]~~ a brewpub license under Chapter 74,
22 Alcoholic Beverage Code.

23 SECTION 19.004. Section 312.210(b), Tax Code, is amended to
24 correct a reference to read as follows:

25 (b) A tax abatement agreement with the owner of real
26 property or tangible personal property that is located in the
27 reinvestment zone described by Subsection (a) and in a school

1 district that has a local revenue level that does not exceed the
2 level established under Section [48.257](#), Education Code, must exempt
3 from taxation:

4 (1) the portion of the value of the property in the
5 amount specified in the joint agreement among the municipality,
6 county, and junior college district; and

7 (2) an amount equal to 10 percent of the maximum
8 portion of the value of the property that may under Section
9 [312.204](#)(a) be otherwise exempted from taxation.

10 ARTICLE 20. CHANGES RELATING TO TRANSPORTATION CODE

11 SECTION 20.001. Section [56.001](#)(3), Transportation Code, is
12 repealed to conform to Chapter 1310 (H.B. 3850), Acts of the 86th
13 Legislature, Regular Session, 2019.

14 SECTION 20.002. Section [66.016](#)(c), Transportation Code, as
15 added by Chapter 1346 (S.B. 1915), Acts of the 86th Legislature,
16 Regular Session, 2019, is repealed as duplicative of Section
17 [66.016](#)(c), Transportation Code, as added by Chapter 1347 (S.B.
18 2223), Acts of the 86th Legislature, Regular Session, 2019.

19 SECTION 20.003. Section [501.0301](#)(a)(1), Transportation
20 Code, is amended to conform to Chapter 1233 (H.B. 1548), Acts of the
21 86th Legislature, Regular Session, 2019, to read as follows:

22 (1) "Off-highway vehicle" means:

23 (A) an all-terrain vehicle or recreational
24 off-highway vehicle, as those terms are defined by Section [551A.001](#)
25 [~~502.001~~];

26 (B) a motorcycle, as that term is defined by
27 Section [541.201](#), other than a motorcycle described by Section

1 521.001, that is designed by the manufacturer for off-highway use
2 only; or

3 (C) a utility vehicle, as that term is defined by
4 Section 551A.001 [~~663.001~~].

5 SECTION 20.004. Section 504.202(e-1), Transportation Code,
6 is amended to correct a reference to read as follows:

7 (e-1) Other than license plates issued under Subsection
8 (h), license plates issued under this section may include, on
9 request:

- 10 (1) the emblem of the veteran's branch of service; or
11 (2) one emblem from another license plate to which the
12 person is entitled under Section 504.308, 504.309, 504.310(b),
13 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316,
14 504.3161, 504.318, 504.319, 504.320, 504.323, [~~as added by Chapter~~
15 ~~1085 (H.B. 3567), Acts of the 85th Legislature, Regular Session,~~
16 ~~2017,~~] or 504.325.

17 SECTION 20.005. Section 504.3161, Transportation Code, as
18 amended by Chapters 651 (S.B. 1806) and 746 (H.B. 819), Acts of the
19 86th Legislature, Regular Session, 2019, is reenacted and amended
20 to read as follows:

21 Sec. 504.3161. MILITARY SPECIALTY LICENSE PLATES FOR
22 RECIPIENTS OF CERTAIN MILITARY CAMPAIGN AND SERVICE AWARDS. The
23 department shall issue specialty license plates for recipients of
24 the following military awards that include the name of the award:

- 25 (1) the Armed Forces Expeditionary Medal;
26 (2) the Armed Forces Service Medal;
27 (3) the Navy Expeditionary Medal;

- 1 (4) the Global War on Terrorism Expeditionary Medal;
- 2 (5) the Global War on Terrorism Service Medal;
- 3 (6) the Marine Corps Expeditionary Medal;
- 4 (7) the Merchant Marine Expeditionary Medal;
- 5 (8) the Kosovo Campaign Medal;
- 6 (9) the Inherent Resolve Campaign Medal; ~~and~~
- 7 (10) the China Service Medal; and
- 8 (11) ~~[(10)]~~ the Nuclear Deterrence Operations Service
- 9 Medal.

10 SECTION 20.006. Section 542.304(a), Transportation Code,
11 as added by Chapter 1094 (H.B. 2048), Acts of the 86th Legislature,
12 Regular Session, 2019, is amended to conform to Section 4.40,
13 Chapter 1352 (S.B. 346), Acts of the 86th Legislature, Regular
14 Session, 2019, to read as follows:

15 (a) The department by rule shall designate the offenses
16 involving the operation of a motor vehicle that constitute a moving
17 violation of the traffic law for the purposes of:

- 18 (1) ~~[Article 102.022(a), Code of Criminal Procedure,~~
- 19 ~~[(2)]~~ Section 1001.112(a-2), Education Code;
- 20 (2) ~~[(3)]~~ Section 411.110(f), Government Code; and
- 21 (3) ~~[(4)]~~ Sections 773.0614(b) and 773.06141(a),
- 22 Health and Safety Code.

23 SECTION 20.007. Section 551.107(a), Transportation Code,
24 is amended to conform to Chapter 1233 (H.B. 1548), Acts of the 86th
25 Legislature, Regular Session, 2019, to read as follows:

26 (a) Subtitles A, B, and D and Chapter 551A ~~[663]~~ do not apply
27 to the operation of an electric bicycle.

1 SECTION 20.008. Section 551A.001, Transportation Code, as
2 transferred and redesignated from Section 663.001, Transportation
3 Code, by Chapter 1233 (H.B. 1548), Acts of the 86th Legislature,
4 Regular Session, 2019, and amended by Chapters 595 (S.B. 616) and
5 1079 (H.B. 1755), Acts of the 86th Legislature, Regular Session,
6 2019, is reenacted and amended to read as follows:

7 Sec. 551A.001. DEFINITIONS. In this chapter:

8 (1) "All-terrain vehicle" means a motor vehicle that
9 is:

- 10 (A) equipped with a seat or seats for the use of:
11 (i) the rider; and
12 (ii) a passenger, if the motor vehicle is
13 designed by the manufacturer to transport a passenger;
14 (B) designed to propel itself with three or more
15 tires in contact with the ground;
16 (C) designed by the manufacturer for off-highway
17 use;
18 (D) not designed by the manufacturer primarily
19 for farming or lawn care; and
20 (E) not more than 50 inches wide.

21 (1-b) "Commission" means the Texas Commission of
22 Licensing and Regulation.

23 (1-c) "Department" means the Texas Department of
24 Licensing and Regulation.

25 (1-d) [~~3~~] "Off-highway vehicle" means:

26 (A) an all-terrain vehicle[~~7~~] or recreational
27 off-highway vehicle;

1 (B) a sand rail; or

2 (C) a utility vehicle.

3 (2) "Beach" means a beach area, publicly or privately
4 owned, that borders the seaward shore of the Gulf of Mexico.

5 (3) "Sand rail" means a vehicle, as defined by Section
6 [502.001](#), that:

7 (A) is designed or built primarily for
8 off-highway use in sandy terrains, including for use on sand dunes;

9 (B) has a tubular frame, an integrated roll cage,
10 and an engine that is rear-mounted or placed midway between the
11 front and rear axles of the vehicle; and

12 (C) has a gross vehicle weight, as defined by
13 Section [541.401](#), of:

14 (i) not less than 700 pounds; and

15 (ii) not more than 2,000 pounds.

16 (4) "Public off-highway vehicle land" means land on
17 which off-highway recreation is authorized under Chapter [29](#), Parks
18 and Wildlife Code.

19 (5) "Recreational off-highway vehicle" means a motor
20 vehicle that is:

21 (A) equipped with a seat or seats for the use of:

22 (i) the rider; and

23 (ii) a passenger or passengers, if the
24 vehicle is designed by the manufacturer to transport a passenger or
25 passengers;

26 (B) designed to propel itself with four or more
27 tires in contact with the ground;

1 (C) designed by the manufacturer for off-highway
2 use by the operator only; and

3 (D) not designed by the manufacturer primarily
4 for farming or lawn care.

5 (6) "Utility vehicle" means a motor vehicle that is
6 not a golf cart, as defined by Section 551.401, or lawn mower and
7 is:

8 (A) equipped with side-by-side seating for the
9 use of the operator and a passenger;

10 (B) designed to propel itself with at least four
11 tires in contact with the ground;

12 (C) designed by the manufacturer for off-highway
13 use only; and

14 (D) designed by the manufacturer primarily for
15 utility work and not for recreational purposes.

16 SECTION 20.009. Section 644.101(b), Transportation Code,
17 as reenacted and amended by Chapters 102 (S.B. 636), 163 (H.B. 695),
18 169 (H.B. 917), and 467 (H.B. 4170), Acts of the 86th Legislature,
19 Regular Session, 2019, is reenacted and amended to read as follows:

20 (b) A police officer of any of the following municipalities
21 is eligible to apply for certification under this section:

22 (1) a municipality with a population of 50,000 or
23 more;

24 (2) a municipality with a population of 25,000 or more
25 any part of which is located in a county with a population of
26 500,000 or more;

27 (3) a municipality with a population of less than

1 25,000:

2 (A) any part of which is located in a county with
3 a population of 3.3 million; and

4 (B) that contains or is adjacent to an
5 international port;

6 (4) a municipality with a population of at least
7 34,000 that is located in a county that borders two or more states;

8 (5) a municipality any part of which is located in a
9 county bordering the United Mexican States;

10 (6) a municipality with a population of less than
11 5,000 that is located:

12 (A) adjacent to a bay connected to the Gulf of
13 Mexico; and

14 (B) in a county adjacent to a county with a
15 population greater than 3.3 million;

16 (7) a municipality that is located:

17 (A) within 25 miles of an international port; and

18 (B) in a county that does not contain a highway
19 that is part of the national system of interstate and defense
20 highways and is adjacent to a county with a population greater than
21 3.3 million;

22 (8) a municipality with a population of less than
23 8,500 that:

24 (A) is the county seat; and

25 (B) contains a highway that is part of the
26 national system of interstate and defense highways;

27 (9) a municipality located in a county with a

1 population between 60,000 and 66,000 adjacent to a bay connected to
2 the Gulf of Mexico;

3 (10) a municipality with a population of more than
4 40,000 and less than 50,000 that is located in a county with a
5 population of more than 285,000 and less than 300,000 that borders
6 the Gulf of Mexico;

7 (11) a municipality with a population between 18,000
8 and 18,500 that is located entirely in a county that:

9 (A) has a population of less than 200,000;

10 (B) is adjacent to two counties that each have a
11 population of more than 1.2 million; and

12 (C) contains two highways that are part of the
13 national system of interstate and defense highways; [~~or~~]

14 (12) a municipality with a population of more than
15 3,000 and less than 10,000 that:

16 (A) contains a highway that is part of the
17 national system of interstate and defense highways; and

18 (B) is located in a county with a population
19 between 150,000 and 155,000; [~~or~~]

20 (13) a municipality with a population of less than
21 75,000 that is located in three counties, at least one of which has
22 a population greater than 3.3 million;

23 (14) [~~(13)~~] a municipality with a population between
24 14,000 and 17,000 that:

25 (A) contains three or more numbered United States
26 highways; and

27 (B) is located in a county that is adjacent to a

1 county with a population of more than 200,000; or

2 (15) [~~(13)~~] a municipality with a population of less
3 than 50,000 that is located in:

4 (A) a county that generated \$20 million or more
5 in tax revenue collected under Chapters 201 and 202, Tax Code, from
6 oil and gas production during the preceding state fiscal year; or

7 (B) a county that is adjacent to two or more
8 counties described by Paragraph (A).

9 SECTION 20.010. Section 644.101(c), Transportation Code,
10 as amended by Chapters 169 (H.B. 917) and 478 (H.B. 511), Acts of
11 the 86th Legislature, Regular Session, 2019, is reenacted and
12 amended to read as follows:

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

15 (1) a county bordering the United Mexican States;

16 (2) a county with a population of less than 1,000, part
17 of which is located within 75 miles of an international border; ~~or~~

18 (3) [~~(2)~~] a county with a population of 700,000 or
19 more; or

20 (4) [~~(3)~~] a county with a population of 400,000 or
21 more that borders the county in which the State Capitol is located.

22 SECTION 20.011. Section 731.001(b), Transportation Code,
23 is amended to conform to Chapter 1233 (H.B. 1548), Acts of the 86th
24 Legislature, Regular Session, 2019, to read as follows:

25 (b) For purposes of Subsection (a)(4), the term "assembled
26 vehicle" does not include a golf cart, as defined by Section
27 551.401, or an off-highway vehicle, as defined by Section 551A.001

1 ~~[663.001]~~, regardless of whether the vehicle is built or assembled
2 by a hobbyist.

3 ARTICLE 21. REDESIGNATIONS

4 SECTION 21.001. The following provisions of enacted codes
5 are redesignated to eliminate duplicate citations or to relocate
6 misplaced provisions:

7 (1) Section 14.07, Alcoholic Beverage Code, as added
8 by Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular
9 Session, 2019, is redesignated as Section 14.071, Alcoholic
10 Beverage Code.

11 (2) Section 25.15, Alcoholic Beverage Code, as added
12 by Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular
13 Session, 2019, is redesignated as Section 25.16, Alcoholic Beverage
14 Code.

15 (3) Chapter 57, Alcoholic Beverage Code, as added by
16 Section 2(b), Chapter 1161 (H.B. 3222), Acts of the 86th
17 Legislature, Regular Session, 2019, is redesignated as Chapter 58,
18 Alcoholic Beverage Code, and Sections 57.001, 57.002, 57.003,
19 57.004, and 57.005, Alcoholic Beverage Code, as added by Section
20 2(b) of that Act, are redesignated as Sections 58.001, 58.002,
21 58.003, 58.004, and 58.005, Alcoholic Beverage Code, respectively.

22 (4) Section 14, Article 42.01, Code of Criminal
23 Procedure, as added by Chapter 641 (S.B. 1570), Acts of the 86th
24 Legislature, Regular Session, 2019, is redesignated as Section 15,
25 Article 42.01, Code of Criminal Procedure.

26 (5) Article 42A.515, Code of Criminal Procedure, as
27 added by Chapter 290 (H.B. 2502), Acts of the 86th Legislature,

1 Regular Session, 2019, is redesignated as Article 42A.516, Code of
2 Criminal Procedure.

3 (6) Subsection (l), Section 28.006, Education Code, as
4 added by Chapter 450 (S.B. 2075), Acts of the 86th Legislature,
5 Regular Session, 2019, is redesignated as Subsection (m), Section
6 28.006, Education Code.

7 (7) Subsection (g), Section 29.153, Education Code, as
8 added by Chapter 443 (S.B. 1679), Acts of the 86th Legislature,
9 Regular Session, 2019, is redesignated as Subsection (e-1), Section
10 29.153, Education Code.

11 (8) Section 38.033, Education Code, as added by
12 Chapter 1042 (H.B. 706), Acts of the 86th Legislature, Regular
13 Session, 2019, is redesignated as Section 38.034, Education Code.

14 (9) Subchapter F, Chapter 38, Education Code, as added
15 by Chapter 1278 (H.B. 906), Acts of the 86th Legislature, Regular
16 Session, 2019, is redesignated as Subchapter F-1, Chapter 38,
17 Education Code.

18 (10) Subsection (c-7), Section 39.023, Education
19 Code, as added by Chapter 1282 (H.B. 1244), Acts of the 86th
20 Legislature, Regular Session, 2019, is redesignated as Subsection
21 (c-9), Section 39.023, Education Code.

22 (11) Section 51.609, Government Code, as added by
23 Chapter 121 (H.B. 435), Acts of the 86th Legislature, Regular
24 Session, 2019, is redesignated as Section 51.610, Government Code.

25 (12) Section 72.034, Government Code, as added by
26 Chapter 743 (H.B. 770), Acts of the 86th Legislature, Regular
27 Session, 2019, is redesignated as Section 72.035, Government Code.

1 (13) Section 301.033, Government Code, as
2 transferred, redesignated, and amended by Chapter 1250 (H.B. 4181),
3 Acts of the 86th Legislature, Regular Session, 2019, is
4 redesignated as Section 301.034, Government Code.

5 (14) Subchapter Q, Chapter 411, Government Code, as
6 added by Chapter 220 (H.B. 833), Acts of the 86th Legislature,
7 Regular Session, 2019, is redesignated as Subchapter P-1,
8 Government Code, and Sections 411.461, 411.462, 411.463, 411.464,
9 411.465, 411.466, 411.467, 411.468, 411.469, 411.470, and 411.471,
10 Government Code, as added by that Act, are redesignated as Sections
11 411.4501, 411.4502, 411.4503, 411.4504, 411.4505, 411.4506,
12 411.4507, 411.4508, 411.4509, 411.4510, and 411.4511, Government
13 Code, respectively.

14 (15) Subchapter Q, Chapter 411, Government Code, as
15 added by Chapter 595 (S.B. 616), Acts of the 86th Legislature,
16 Regular Session, 2019, is redesignated as Subchapter Q-1, Chapter
17 411, Government Code.

18 (16) Section 418.054, Government Code, as added by
19 Chapter 945 (H.B. 7), Acts of the 86th Legislature, Regular
20 Session, 2019, is redesignated as Section 418.0544, Government
21 Code.

22 (17) Section 418.054, Government Code, as added by
23 Chapter 1065 (H.B. 1307), Acts of the 86th Legislature, Regular
24 Session, 2019, is redesignated as Section 418.0545, Government
25 Code.

26 (18) Sections 418.054 and 418.055, Government Code, as
27 added by Chapter 703 (H.B. 5), Acts of the 86th Legislature, Regular

1 Session, 2019, are redesignated as Sections 418.0542 and 418.0543,
2 Government Code, respectively.

3 (19) Sections 418.054 and 418.055, Government Code, as
4 added by Chapter 614 (S.B. 982), Acts of the 86th Legislature,
5 Regular Session, 2019, are redesignated as Sections 418.0546 and
6 418.0547, Government Code, respectively.

7 (20) Sections 418.054 and 418.055, Government Code, as
8 added by Chapter 285 (H.B. 2320), Acts of the 86th Legislature,
9 Regular Session, 2019, are redesignated as Sections 418.0548 and
10 418.0549, Government Code, respectively.

11 (21) Sections 418.054 and 418.055, Government Code, as
12 added by Chapter 1116 (H.B. 2325), Acts of the 86th Legislature,
13 Regular Session, 2019, are redesignated as Sections 418.0554 and
14 418.0555, Government Code, respectively.

15 (22) Sections 418.054 and 418.056, Government Code, as
16 added by Chapter 602 (S.B. 799), Acts of the 86th Legislature,
17 Regular Session, 2019, are redesignated as Sections 418.0552 and
18 418.0553, Government Code, respectively.

19 (23) Section 418.055, Government Code, as added by
20 Chapter 946 (S.B. 6), Acts of the 86th Legislature, Regular
21 Session, 2019, is redesignated as Section 418.0541, Government
22 Code.

23 (24) Section 418.056, Government Code, as added by
24 Chapter 286 (H.B. 2340), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Section 418.0551, Government
26 Code.

27 (25) Section 418.127, Government Code, as added by

1 Chapter 1116 (H.B. 2325), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Section 418.125, Government Code.

3 (26) Subchapter F-1, Chapter 418, Government Code, as
4 added by Chapter 614 (S.B. 982), Acts of the 86th Legislature,
5 Regular Session, 2019, is redesignated as Subchapter F-2, Chapter
6 418, Government Code, and Sections 418.131, 418.132, and 418.133,
7 Government Code, as added by that Act, are redesignated as Sections
8 418.141, 418.142, and 418.143, Government Code, respectively.

9 (27) Section 418.193, Government Code, as added by
10 Chapter 70 (S.B. 416), Acts of the 86th Legislature, Regular
11 Session, 2019, is redesignated as Section 418.195, Government Code.

12 (28) Section 420.035, Government Code, as added by
13 Chapter 297 (H.B. 3106), Acts of the 86th Legislature, Regular
14 Session, 2019, is redesignated as Section 420.036, Government Code.

15 (29) Chapter 424, Government Code, as added by Chapter
16 863 (H.B. 2945), Acts of the 86th Legislature, Regular Session,
17 2019, is redesignated as Chapter 425, Government Code, and Sections
18 424.001, 424.002, 424.003, 424.004, 424.005, 424.006, 424.007, and
19 424.008, Government Code, as added by that Act, are redesignated as
20 Sections 425.001, 425.002, 425.003, 425.004, 425.005, 425.006,
21 425.007, and 425.008, Government Code, respectively.

22 (30) Section 493.032, Government Code, as added by
23 Chapter 1163 (H.B. 3227), Acts of the 86th Legislature, Regular
24 Session, 2019, is redesignated as Section 493.033, Government Code.

25 (31) Section 501.026, Government Code, as added by
26 Chapter 1163 (H.B. 3227), Acts of the 86th Legislature, Regular
27 Session, 2019, is redesignated as Section 501.027, Government Code.

1 (32) Section 511.0104, Government Code, as added by
2 Chapter 891 (H.B. 3440), Acts of the 86th Legislature, Regular
3 Session, 2019, is redesignated as Section 511.0106, Government
4 Code.

5 (33) Subsections (f), (g), and (h), Section 533.00253,
6 Government Code, as added by Chapter 1330 (H.B. 4533), Acts of the
7 86th Legislature, Regular Session, 2019, are redesignated as
8 Subsections (l), (l-1), and (l-2), Section 533.00253, Government
9 Code, respectively.

10 (34) Subsection (g), Section 533.005, Government
11 Code, as added by Chapter 981 (S.B. 1177), Acts of the 86th
12 Legislature, Regular Session, 2019, is redesignated as Subsection
13 (h), Section 533.005, Government Code.

14 (35) Subdivision (7), Section 552.003, Government
15 Code, as added by Chapter 1216 (S.B. 943), Acts of the 86th
16 Legislature, Regular Session, 2019, is redesignated as Subdivision
17 (1-a), Section 552.003, Government Code.

18 (36) Section 552.159, Government Code, as added by
19 Chapter 300 (H.B. 3913), Acts of the 86th Legislature, Regular
20 Session, 2019, is redesignated as Section 552.161, Government Code.

21 (37) Section 552.159, Government Code, as added by
22 Chapter 1340 (S.B. 944), Acts of the 86th Legislature, Regular
23 Session, 2019, is redesignated as Section 552.162, Government Code.

24 (38) Section 552.233, Government Code, as added by
25 Chapter 462 (S.B. 494), Acts of the 86th Legislature, Regular
26 Session, 2019, is redesignated as Section 552.2325, Government
27 Code.

1 (39) Section 662.071, Government Code, as added by
2 Chapter 879 (H.B. 3084), Acts of the 86th Legislature, Regular
3 Session, 2019, is redesignated as Section 662.072, Government Code.

4 (40) Section 662.071, Government Code, as added by
5 Chapter 890 (H.B. 3435), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 662.073, Government Code.

7 (41) Section 662.071, Government Code, as added by
8 Chapter 171 (H.B. 1064), Acts of the 86th Legislature, Regular
9 Session, 2019, is redesignated as Section 662.074, Government Code.

10 (42) Section 662.071, Government Code, as added by
11 Chapter 193 (H.B. 2298), Acts of the 86th Legislature, Regular
12 Session, 2019, is redesignated as Section 662.075, Government Code.

13 (43) Section 662.071, Government Code, as added by
14 Chapter 202 (H.B. 2597), Acts of the 86th Legislature, Regular
15 Session, 2019, is redesignated as Section 662.076, Government Code.

16 (44) Section 662.071, Government Code, as added by
17 Chapter 354 (H.B. 295), Acts of the 86th Legislature, Regular
18 Session, 2019, is redesignated as Section 662.077, Government Code.

19 (45) Section 662.071, Government Code, as added by
20 Chapter 421 (S.B. 430), Acts of the 86th Legislature, Regular
21 Session, 2019, is redesignated as Section 662.078, Government Code.

22 (46) Section 662.112, Government Code, as added by
23 Chapter 160 (H.B. 405), Acts of the 86th Legislature, Regular
24 Session, 2019, is redesignated as Section 662.113, Government Code.

25 (47) Subchapter E, Chapter 2051, Government Code, as
26 added by Chapter 1029 (H.B. 305), Acts of the 86th Legislature,
27 Regular Session, 2019, is redesignated as Subchapter F, Chapter

1 2051, Government Code, and Sections 2051.151 and 2051.152,
2 Government Code, as added by that Act, are redesignated as Sections
3 2051.201 and 2051.202, Government Code, respectively.

4 (48) Section 2054.069, Government Code, as added by
5 Chapter 604 (S.B. 819), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 2054.0691, Government
7 Code.

8 (49) Section 2054.519, Government Code, as added by
9 Chapter 509 (S.B. 64), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Section 2054.5181, Government
11 Code.

12 (50) Subsection (d), Section 2166.052, Government
13 Code, as added by Chapter 867 (H.B. 2977), Acts of the 86th
14 Legislature, Regular Session, 2019, is redesignated as Subsection
15 (c-1), Section 2166.052, Government Code.

16 (51) Section 2262.056, Government Code, as added by
17 Chapter 615 (S.B. 986), Acts of the 86th Legislature, Regular
18 Session, 2019, is redesignated as Section 2262.057, Government
19 Code.

20 (52) Chapter 2272, Government Code, as added by
21 Chapter 501 (S.B. 22), Acts of the 86th Legislature, Regular
22 Session, 2019, is redesignated as Chapter 2273, Government Code,
23 and Sections 2272.001, 2272.002, 2272.003, 2272.004, and 2272.005,
24 Government Code, as added by that Act, are redesignated as Sections
25 2273.001, 2273.002, 2273.003, 2273.004, and 2273.005, Government
26 Code, respectively.

27 (53) Chapter 50, Health and Safety Code, as added by

1 Chapter 1157 (H.B. 3147), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Chapter 51, Health and Safety
3 Code, and Sections 50.0001, 50.0002, 50.0003, 50.0004, 50.0005,
4 50.0006, and 50.0007, Health and Safety Code, as added by that Act,
5 are redesignated as Sections 51.0001, 51.0002, 51.0003, 51.0004,
6 51.0005, 51.0006, and 51.0007, Health and Safety Code,
7 respectively.

8 (54) Chapter 50, Health and Safety Code, as added by
9 Chapter 889 (H.B. 3405), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Chapter 52, Health and Safety
11 Code, and Sections 50.001, 50.002, 50.003, 50.004, 50.005, 50.006,
12 and 50.007, Health and Safety Code, as added by that Act, are
13 redesignated as Sections 52.0001, 52.0002, 52.0003, 52.0004,
14 52.0005, 52.0006, and 52.0007, Health and Safety Code,
15 respectively.

16 (55) Chapter 99, Health and Safety Code, as added by
17 Chapter 6 (S.B. 999), Acts of the 86th Legislature, Regular
18 Session, 2019, is redesignated as Chapter 99A, Health and Safety
19 Code, and Sections 99.001, 99.002, 99.003, 99.004, 99.005, and
20 99.006, Health and Safety Code, as added by that Act, are
21 redesignated as Sections 99A.001, 99A.002, 99A.003, 99A.004,
22 99A.005, and 99A.006, Health and Safety Code, respectively.

23 (56) Chapter 298C, Health and Safety Code, as added by
24 Chapter 454 (S.B. 2448), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Chapter 298D, Health and Safety
26 Code, and Sections 298C.001, 298C.002, 298C.003, 298C.004,
27 298C.051, 298C.052, 298C.053, 298C.101, 298C.102, 298C.103,

1 298C.151, 298C.152, and 298C.153, Health and Safety Code, as added
2 by that Act, are redesignated as Sections 298D.001, 298D.002,
3 298D.003, 298D.004, 298D.051, 298D.052, 298D.053, 298D.101,
4 298D.102, 298D.103, 298D.151, 298D.152, and 298D.153, Health and
5 Safety Code, respectively.

6 (57) Subchapter K, Chapter 1001, Health and Safety
7 Code, as added by Chapter 1167 (H.B. 3285), Acts of the 86th
8 Legislature, Regular Session, 2019, is redesignated as Subchapter
9 L, Chapter 1001, Health and Safety Code, and Section 1001.261,
10 Health and Safety Code, as added by that Act, is redesignated as
11 Section 1001.281, Health and Safety Code.

12 (58) Subsection (e), Section 981.004, Insurance Code,
13 as added by Chapter 1089 (H.B. 1940), Acts of the 86th Legislature,
14 Regular Session, 2019, is redesignated as Subsection (f), Section
15 981.004, Insurance Code.

16 (59) Subchapter E, Chapter 1101, Insurance Code, as
17 added by Chapter 515 (S.B. 437), Acts of the 86th Legislature,
18 Regular Session, 2019, is redesignated as Subchapter F, Chapter
19 1101, Insurance Code, and Sections 1101.201, 1101.202, and
20 1101.203, Insurance Code, as added by that Act, are redesignated as
21 Sections 1101.251, 1101.252, and 1101.253, Insurance Code,
22 respectively.

23 (60) Section 250.009, Local Government Code, as added
24 by Chapter 1176 (H.B. 3371), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Section 250.010, Local Government
26 Code.

27 (61) Section 53.0231, Occupations Code, as added by

1 Chapter 984 (S.B. 1217), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Section 53.0232, Occupations
3 Code.

4 (62) Section 2302.009, Occupations Code, as added by
5 Chapter 1079 (H.B. 1755), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 2302.010, Occupations
7 Code.

8 (63) Section 202.020, Property Code, as added by
9 Chapter 972 (S.B. 741), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Section 202.021, Property Code.

11 (64) Chapter 7888, Special District Local Laws Code,
12 is transferred to Subtitle F, Title 6, Special District Local Laws
13 Code.

14 (65) Subsection (c), Section 41.41, Tax Code, as added
15 by Chapter 1284 (H.B. 1313), Acts of the 86th Legislature, Regular
16 Session, 2019, is redesignated as Subsection (d), Section 41.41,
17 Tax Code.

18 (66) Subsection (f), Section 41.47, Tax Code, as added
19 by Chapter 699 (S.B. 2531), Acts of the 86th Legislature, Regular
20 Session, 2019, is redesignated as Subsection (g-1), Section 41.47,
21 Tax Code.

22 (67) Subsection (q), Section 351.101, Tax Code, as
23 added by Chapter 351 (H.B. 3356), Acts of the 86th Legislature,
24 Regular Session, 2019, is redesignated as Subsection (p), Section
25 351.101, Tax Code.

26 (68) Section 225.152, Transportation Code, as added by
27 Chapter 184 (H.B. 1821), Acts of the 86th Legislature, Regular

1 Session, 2019, is redesignated as Section 225.153, Transportation
2 Code.

3 (69) Section 225.152, Transportation Code, as added by
4 Chapter 328 (S.B. 228), Acts of the 86th Legislature, Regular
5 Session, 2019, is redesignated as Section 225.154, Transportation
6 Code.

7 (70) Section 225.152, Transportation Code, as added by
8 Chapter 498 (H.B. 4727), Acts of the 86th Legislature, Regular
9 Session, 2019, is redesignated as Section 225.155, Transportation
10 Code.

11 (71) Section 225.152, Transportation Code, as added by
12 Chapter 522 (S.B. 575), Acts of the 86th Legislature, Regular
13 Session, 2019, is redesignated as Section 225.156, Transportation
14 Code.

15 (72) Section 225.152, Transportation Code, as added by
16 Chapter 624 (S.B. 1221), Acts of the 86th Legislature, Regular
17 Session, 2019, is redesignated as Section 225.157, Transportation
18 Code.

19 (73) Section 225.152, Transportation Code, as added by
20 Chapter 704 (H.B. 23), Acts of the 86th Legislature, Regular
21 Session, 2019, is redesignated as Section 225.158, Transportation
22 Code.

23 (74) Section 225.152, Transportation Code, as added by
24 Chapter 813 (H.B. 2331), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Section 225.159, Transportation
26 Code.

27 (75) Section 225.152, Transportation Code, as added by

1 Chapter 827 (H.B. 2571), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Section 225.160, Transportation
3 Code.

4 (76) Section 225.152, Transportation Code, as added by
5 Chapter 828 (H.B. 2577), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 225.161, Transportation
7 Code.

8 (77) Section 225.152, Transportation Code, as added by
9 Chapter 893 (H.B. 3471), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Section 225.162, Transportation
11 Code.

12 (78) Section 225.152, Transportation Code, as added by
13 Chapter 1035 (H.B. 519), Acts of the 86th Legislature, Regular
14 Session, 2019, is redesignated as Section 225.163, Transportation
15 Code.

16 (79) Section 225.152, Transportation Code, as added by
17 Chapter 1080 (H.B. 1810), Acts of the 86th Legislature, Regular
18 Session, 2019, is redesignated as Section 225.164, Transportation
19 Code.

20 (80) Section 225.152, Transportation Code, as added by
21 Chapter 1209 (H.B. 4762), Acts of the 86th Legislature, Regular
22 Session, 2019, is redesignated as Section 225.165, Transportation
23 Code.

24 (81) Section 225.152, Transportation Code, as added by
25 Chapter 7 (H.B. 540), Acts of the 86th Legislature, Regular
26 Session, 2019, is redesignated as Section 225.166, Transportation
27 Code.

1 (82) Section 225.152, Transportation Code, as added by
2 Chapter 71 (S.B. 497), Acts of the 86th Legislature, Regular
3 Session, 2019, is redesignated as Section 225.167, Transportation
4 Code.

5 (83) Section 225.152, Transportation Code, as added by
6 Chapter 79 (S.B. 1134), Acts of the 86th Legislature, Regular
7 Session, 2019, is redesignated as Section 225.168, Transportation
8 Code.

9 (84) Section 225.152, Transportation Code, as added by
10 Chapter 134 (H.B. 1837), Acts of the 86th Legislature, Regular
11 Session, 2019, is redesignated as Section 225.169, Transportation
12 Code.

13 (85) Section 225.152, Transportation Code, as added by
14 Chapter 135 (H.B. 1838), Acts of the 86th Legislature, Regular
15 Session, 2019, is redesignated as Section 225.170, Transportation
16 Code.

17 (86) Section 225.152, Transportation Code, as added by
18 Chapter 219 (H.B. 693), Acts of the 86th Legislature, Regular
19 Session, 2019, is redesignated as Section 225.171, Transportation
20 Code.

21 (87) Section 225.152, Transportation Code, as added by
22 Chapter 256 (H.B. 1039), Acts of the 86th Legislature, Regular
23 Session, 2019, is redesignated as Section 225.172, Transportation
24 Code.

25 (88) Section 225.152, Transportation Code, as added by
26 Chapter 258 (H.B. 1249), Acts of the 86th Legislature, Regular
27 Session, 2019, is redesignated as Section 225.173, Transportation

1 Code.

2 (89) Section 225.152, Transportation Code, as added by
3 Chapter 282 (H.B. 1779), Acts of the 86th Legislature, Regular
4 Session, 2019, is redesignated as Section 225.174, Transportation
5 Code.

6 (90) Section 225.152, Transportation Code, as added by
7 Chapter 287 (H.B. 2351), Acts of the 86th Legislature, Regular
8 Session, 2019, is redesignated as Section 225.175, Transportation
9 Code.

10 (91) Section 225.152, Transportation Code, as added by
11 Chapter 305 (H.B. 1856), Acts of the 86th Legislature, Regular
12 Session, 2019, is redesignated as Section 225.176, Transportation
13 Code.

14 (92) Section 225.152, Transportation Code, as added by
15 Chapter 306 (H.B. 1858), Acts of the 86th Legislature, Regular
16 Session, 2019, is redesignated as Section 225.177, Transportation
17 Code.

18 (93) Section 225.152, Transportation Code, as added by
19 Chapter 308 (H.B. 1969), Acts of the 86th Legislature, Regular
20 Session, 2019, is redesignated as Section 225.178, Transportation
21 Code.

22 (94) Section 225.152, Transportation Code, as added by
23 Chapter 317 (H.B. 2615), Acts of the 86th Legislature, Regular
24 Session, 2019, is redesignated as Section 225.179, Transportation
25 Code.

26 (95) Section 225.152, Transportation Code, as added by
27 Chapter 682 (S.B. 2156), Acts of the 86th Legislature, Regular

1 Session, 2019, is redesignated as Section 225.180, Transportation
2 Code.

3 (96) Section 225.152, Transportation Code, as added by
4 Chapter 718 (H.B. 310), Acts of the 86th Legislature, Regular
5 Session, 2019, is redesignated as Section 225.181, Transportation
6 Code.

7 (97) Section 225.152, Transportation Code, as added by
8 Chapter 735 (H.B. 635), Acts of the 86th Legislature, Regular
9 Session, 2019, is redesignated as Section 225.182, Transportation
10 Code.

11 (98) Section 225.152, Transportation Code, as added by
12 Chapter 750 (H.B. 884), Acts of the 86th Legislature, Regular
13 Session, 2019, is redesignated as Section 225.183, Transportation
14 Code.

15 (99) Section 225.152, Transportation Code, as added by
16 Chapter 853 (H.B. 2809), Acts of the 86th Legislature, Regular
17 Session, 2019, is redesignated as Section 225.184, Transportation
18 Code.

19 (100) Section 225.152, Transportation Code, as added
20 by Chapter 874 (H.B. 3029), Acts of the 86th Legislature, Regular
21 Session, 2019, is redesignated as Section 225.185, Transportation
22 Code.

23 (101) Section 225.152, Transportation Code, as added
24 by Chapter 905 (H.B. 3671), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Section 225.186, Transportation
26 Code.

27 (102) Section 225.152, Transportation Code, as added

1 by Chapter 913 (H.B. 3780), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Section 225.187, Transportation
3 Code.

4 (103) Section 225.152, Transportation Code, as added
5 by Chapter 920 (H.B. 4211), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 225.188, Transportation
7 Code.

8 (104) Section 225.152, Transportation Code, as added
9 by Chapter 1103 (H.B. 2167), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Section 225.189, Transportation
11 Code.

12 (105) Section 372.054, Transportation Code, as added
13 by Chapter 744 (H.B. 803), Acts of the 86th Legislature, Regular
14 Session, 2019, is redesignated as Section 372.0535, Transportation
15 Code.

16 (106) Chapter 473, Transportation Code, as added by
17 Chapter 382 (H.B. 2899), Acts of the 86th Legislature, Regular
18 Session, 2019, is redesignated as Chapter 474, Transportation Code,
19 and Sections 473.001, 473.002, 473.003, and 473.004,
20 Transportation Code, as added by that Act, are redesignated as
21 Sections 474.001, 474.002, 474.003, and 474.004, Transportation
22 Code, respectively.

23 (107) Section 504.325, Transportation Code, as added
24 by Chapter 128 (H.B. 1656), Acts of the 86th Legislature, Regular
25 Session, 2019, is redesignated as Section 504.326, Transportation
26 Code.

27 (108) Section 504.671, Transportation Code, as added

1 by Chapter 480 (H.B. 1130), Acts of the 86th Legislature, Regular
2 Session, 2019, is redesignated as Section 504.672, Transportation
3 Code.

4 (109) Section 504.671, Transportation Code, as added
5 by Chapter 888 (H.B. 3394), Acts of the 86th Legislature, Regular
6 Session, 2019, is redesignated as Section 504.673, Transportation
7 Code.

8 (110) Section 504.671, Transportation Code, as added
9 by Chapter 989 (S.B. 1271), Acts of the 86th Legislature, Regular
10 Session, 2019, is redesignated as Section 504.674, Transportation
11 Code.

12 (111) Section 36.213, Utilities Code, as added by
13 Chapter 1067 (H.B. 1397), Acts of the 86th Legislature, Regular
14 Session, 2019, is redesignated as Section 36.214, Utilities Code.

15 SECTION 21.002. The following changes are made to conform
16 the provisions amended to the redesignating changes made by Section
17 21.001 of this Act and to correct cross-references:

18 (1) Section 607.001(1), Business & Commerce Code, is
19 amended to read as follows:

20 (1) "Center" means the payment fraud fusion center
21 established under Chapter 425 [~~424~~], Government Code.

22 (2) Subsection (a), Section 411.4507, Government
23 Code, as redesignated from Subsection (a), Section 411.467,
24 Government Code, by Section 21.001 of this Act, is amended to read
25 as follows:

26 (a) When a law enforcement agency notifies the department
27 under Section 411.4506 [~~411.466~~], the department shall confirm the

1 accuracy of the information and, if confirmed, immediately issue an
2 alert under this subchapter in accordance with department rules.

3 (3) Section 411.4508, Government Code, as
4 redesignated from Section ~~411.468~~, Government Code, by Section
5 21.001 of this Act, is amended to read as follows:

6 Sec. 411.4508 [~~411.468~~]. CONTENT OF CAMO ALERT. The alert
7 must include:

8 (1) all appropriate information that is provided by
9 the law enforcement agency under Section 411.4506 [~~411.466~~] and
10 that may lead to the safe recovery of the missing military member;
11 and

12 (2) a statement instructing any person with
13 information related to the missing military member to contact a law
14 enforcement agency.

15 (4) Section 411.4510, Government Code, as
16 redesignated from Section ~~411.470~~, Government Code, by Section
17 21.001 of this Act, is amended to read as follows:

18 Sec. 411.4510 [~~411.470~~]. LIMITATION ON PARTICIPATION BY
19 TEXAS DEPARTMENT OF TRANSPORTATION. Notwithstanding Section
20 411.4505(b) [~~411.465(b)~~], the Texas Department of Transportation
21 is not required to use any existing system of dynamic message signs
22 in a statewide alert system created under this subchapter if the
23 department receives notice from the United States Department of
24 Transportation Federal Highway Administration that the use of the
25 signs would result in the loss of federal highway funding or other
26 punitive actions taken against this state due to noncompliance with
27 federal laws, regulations, or policies.

1 (5) Subdivision (2), Section 418.141, Government
2 Code, as redesignated from Subdivision (2), Section 418.131,
3 Government Code, by Section 21.001 of this Act, is amended to read
4 as follows:

5 (2) "Task force" means the task force established
6 under Section 418.142 [~~418.132~~].

7 (6) Subsections (1-1) and (1-2), Section 533.00253,
8 Government Code, as redesignated from Subsections (g) and (h),
9 Section 533.00253, Government Code, by Section 21.001 of this Act,
10 are amended to read as follows:

11 (1-1) [~~(g)~~] Not later than December 1, 2022, the commission
12 shall prepare and submit a written report to the legislature of the
13 executive commissioner's determination under Subsection (1) [~~(f)~~].

14 (1-2) [~~(h)~~] Subsections (1) [~~(f)~~] and (1-1) [~~(g)~~] and this
15 subsection expire September 1, 2023.

16 (7) Section 2051.201, Government Code, as
17 redesignated from Section 2051.151, Government Code, by Section
18 21.001 of this Act, is amended to read as follows:

19 Sec. 2051.201 [~~2051.151~~]. APPLICABILITY OF SUBCHAPTER.
20 Except as provided by Section 2051.202(b) [~~2051.152(b)~~], this
21 subchapter applies only to a political subdivision with the
22 authority to impose a tax that at any time on or after January 1,
23 2019, maintained a publicly accessible Internet website.

24 (8) Subsection (a), Section 2273.004, Government
25 Code, as redesignated from Subsection (a), Section 2272.004,
26 Government Code, by Section 21.001 of this Act, is amended to read
27 as follows:

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

5 (9) Subsection (a), Section 51.0003, Health and Safety
6 Code, as redesignated from Subsection (a), Section 50.0003, Health
7 and Safety Code, by Section 21.001 of this Act, is amended to read
8 as follows:

9 (a) The program:

10 (1) must collaborate with physicians and health care
11 providers to notify a prospective subject about the program when:

12 (A) the prospective subject provides informed
13 consent for a cancer clinical trial; or

14 (B) funding is available to provide the program
15 for the cancer clinical trial in which the prospective subject
16 participates;

17 (2) must reimburse subjects based on financial need,
18 which may include reimbursement to subjects whose income is at or
19 below 700 percent of the federal poverty level;

20 (3) must provide reimbursement for ancillary costs,
21 including costs described by Section 51.0002 [~~50.0002~~], to
22 eliminate the financial barriers to enrollment in a clinical trial;

23 (4) may provide reimbursement for reasonable
24 ancillary costs, including costs described by Section 51.0002
25 [~~50.0002~~], to one family member, friend, or other person who
26 attends a cancer clinical trial to support a subject; and

27 (5) must comply with applicable federal and state

1 laws.

2 (10) Subsections (a) and (c), Section 99A.002, Health
3 and Safety Code, as redesignated from Subsections (a) and (c),
4 Section 99.002, Health and Safety Code, by Section 21.001 of this
5 Act, are amended to read as follows:

6 (a) In developing the state plan under Section 99A.001
7 [~~99.001~~], the department shall seek comments from interested
8 parties, including:

9 (1) members of the public with, or who care for persons
10 with, Alzheimer's disease or related disorders;

11 (2) each state agency that provides services to
12 persons with Alzheimer's disease or related disorders;

13 (3) any advisory body that addresses issues related to
14 Alzheimer's disease or related disorders;

15 (4) public advocates concerned with issues related to
16 Alzheimer's disease or related disorders;

17 (5) physicians and health care providers licensed in
18 this state who have clinical training and experience in caring for
19 persons with Alzheimer's disease or related disorders; and

20 (6) researchers of issues affecting persons with
21 Alzheimer's disease or related disorders.

22 (c) The department shall meet with interested parties at
23 least two times each year to:

24 (1) facilitate comments on and discuss the progress of
25 developing and implementing the state plan developed under this
26 chapter; and

27 (2) gather information for the report required under

1 Section 99A.004 [~~99.004~~].

2 (11) Section 99A.006, Health and Safety Code, as
3 redesignated from Section 99.006, Health and Safety Code, by
4 Section 21.001 of this Act, is amended to read as follows:

5 Sec. 99A.006 [~~99.006~~]. NO CAUSE OF ACTION, DUTY, STANDARD
6 OF CARE, OR LIABILITY CREATED. Notwithstanding any other law,
7 Section 99A.001 [~~99.001~~], including the use of or failure to use any
8 information or materials developed or disseminated under that
9 section, does not create a civil, criminal, or administrative cause
10 of action or liability or create a standard of care, obligation, or
11 duty that provides a basis for a cause of action.

12 (12) Section 102.203(b), Health and Safety Code, is
13 amended to read as follows:

14 (b) Except as otherwise provided by this section, money
15 awarded under this subchapter may be used for authorized expenses,
16 including honoraria, salaries and benefits, travel, conference
17 fees and expenses, consumable supplies, other operating expenses,
18 contracted research and development, capital equipment,
19 construction or renovation of state or private facilities, and
20 reimbursement for costs of participation incurred by cancer
21 clinical trial participants, including transportation, lodging,
22 and any costs reimbursed under the cancer clinical trial
23 participation program established under Chapter 51 [~~50~~].

24 (13) Subsection (c), Section 298D.101, Health and
25 Safety Code, as redesignated from Subsection (c), Section 298C.101,
26 Health and Safety Code, by Section 21.001 of this Act, is amended to
27 read as follows:

1 (c) The board's determination of the amount of mandatory
2 payments to be collected during the year must be shown to be based
3 on reasonable estimates of the amount of revenue necessary to fund
4 intergovernmental transfers from the district to the state
5 providing the nonfederal share of payments described by Section
6 298D.103(b)(1) [~~298C.103(b)(1)~~] that is otherwise unfunded.

7 (14) Subsections (a) and (b), Section 298D.103, Health
8 and Safety Code, as redesignated from Subsections (a) and (b),
9 Section 298C.103, Health and Safety Code, by Section 21.001 of this
10 Act, are amended to read as follows:

11 (a) The local provider participation fund established under
12 Section 298D.102 [~~298C.102~~] consists of:

13 (1) all mandatory payments authorized under this
14 chapter and received by the district;

15 (2) money received from the Health and Human Services
16 Commission as a refund of an intergovernmental transfer from the
17 district to the state as the nonfederal share of Medicaid
18 supplemental payment program payments, provided that the
19 intergovernmental transfer does not receive a federal matching
20 payment; and

21 (3) the earnings of the fund.

22 (b) Money deposited to the local provider participation
23 fund may be used only to:

24 (1) fund intergovernmental transfers from the
25 district to the state to provide the nonfederal share of Medicaid
26 payments for:

27 (A) uncompensated care and delivery system

1 reform incentive payments to nonpublic hospitals, if those payments
2 are authorized under the Texas Healthcare Transformation and
3 Quality Improvement Program waiver issued under Section 1115 of the
4 federal Social Security Act (42 U.S.C. Section 1315);

5 (B) uniform rate enhancements for nonpublic
6 hospitals in the Medicaid managed care service area in which the
7 district is located;

8 (C) payments available to nonpublic hospitals
9 under another waiver program authorizing payments that are
10 substantially similar to Medicaid payments to nonpublic hospitals
11 described by Paragraph (A) or (B); or

12 (D) any reimbursement to nonpublic hospitals for
13 which federal matching funds are available;

14 (2) subject to Section 298D.151(d) [~~298C.151(d)~~], pay
15 the administrative expenses of the district in administering the
16 program, including collateralization of deposits;

17 (3) refund a portion of a mandatory payment collected
18 in error from a paying hospital; and

19 (4) refund to paying hospitals a proportionate share
20 of the money that the district:

21 (A) receives from the Health and Human Services
22 Commission that is not used to fund the nonfederal share of Medicaid
23 supplemental payment program payments described by Subdivision
24 (1); or

25 (B) determines cannot be used to fund the
26 nonfederal share of Medicaid supplemental payment program payments
27 described by Subdivision (1).

1 (15) Subsection (d), Section 298D.151, Health and
2 Safety Code, as redesignated from Subsection (d), Section 298C.151,
3 Health and Safety Code, by Section 21.001 of this Act, is amended to
4 read as follows:

5 (d) Subject to the maximum amount prescribed by Subsection
6 (c) and this subsection, the board shall set the mandatory payments
7 in amounts that in the aggregate will generate sufficient revenue
8 to cover the administrative expenses of the district for activities
9 under this chapter, fund an intergovernmental transfer described by
10 Section 298D.103(b)(1) [~~298C.103(b)(1)~~], or make other payments
11 authorized under this chapter. The amount of the mandatory
12 payments must be based on reasonable estimates of the amount of
13 revenue necessary to cover the administrative expenses,
14 intergovernmental transfers, and other payments described by this
15 subsection as authorized under this chapter. The amount of revenue
16 from mandatory payments that may be used for administrative
17 expenses by the district in a year may not exceed \$25,000, plus the
18 cost of collateralization of deposits. If the board demonstrates
19 to the paying hospitals that the costs of administering the program
20 under this chapter, excluding those costs associated with the
21 collateralization of deposits, exceed \$25,000 in any year, on
22 consent of all of the paying hospitals, the district may use
23 additional revenue from mandatory payments received under this
24 chapter to compensate the district for its administrative expenses.
25 A paying hospital may not unreasonably withhold consent to
26 compensate the district for administrative expenses.

27 (16) Section 643.002, Transportation Code, as

1 effective September 1, 2021, is amended to read as follows:

2 Sec. 643.002. EXEMPTIONS. This chapter does not apply to:

3 (1) motor carrier operations exempt from registration
4 by the Unified Carrier Registration Act of 2005 (49 U.S.C. Section
5 14504a) or a motor vehicle registered under the single state
6 registration system established under 49 U.S.C. Section 14504(c)
7 when operating exclusively in interstate or international
8 commerce;

9 (2) a motor vehicle registered as a cotton vehicle
10 under Section [504.505](#);

11 (3) a motor vehicle the department by rule exempts
12 because the vehicle is subject to comparable registration and a
13 comparable safety program administered by another governmental
14 entity;

15 (4) a motor vehicle used to transport passengers
16 operated by an entity whose primary function is not the
17 transportation of passengers, such as a vehicle operated by a
18 hotel, day-care center, public or private school, nursing home, or
19 similar organization;

20 (5) a vehicle operating under:

21 (A) Section [14.071](#) [~~[14.07](#)~~], Alcoholic Beverage
22 Code;

23 (B) Section [16.10](#), Alcoholic Beverage Code;

24 (C) Section [19.06](#), Alcoholic Beverage Code; or

25 (D) Section [20.04](#), Alcoholic Beverage Code;

26 (6) a vehicle operated by a governmental entity; or

27 (7) a tow truck, as defined by Section [2308.002](#),

1 Occupations Code.

2 ARTICLE 22. EFFECTIVE DATE

3 SECTION 22.001. Except as otherwise provided by this Act,
4 this Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3607 was passed by the House on May 8, 2021, by the following vote: Yeas 138, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3607 was passed by the Senate on May 27, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor