

General Code Update Bill

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General Code Update Bill

84R1978 MTB-D

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

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

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

ARTICLE 1. GENERAL PROVISIONS

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

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

(2) conforming codifications enacted by the 83rd

Legislature to other Acts of that legislature that amended the laws codified or added new law to subject matter codified;

(3) making necessary corrections to enacted codifications; and

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

SECTION 1.002. (a) The repeal of a statute by this Act does not affect an amendment, revision, or reenactment of the statute by the 84th Legislature, Regular Session, 2015. The amendment, revision, or reenactment is preserved and given effect as part of the code provision that revised the statute so amended, revised, or reenacted.

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

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

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

(c) In this section, "transition provision" includes any temporary provision providing for a special situation in the transition period between the existing law and the establishment or

implementation of the new law.

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including a validating law, by this Act does not remove, void, or otherwise affect in any manner a validation under the repealed law.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

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

ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

SECTION 2.001. Section 11.72, Alcoholic Beverage Code, as amended by Chapters 451 (S.B. 828) and 1190 (S.B. 1090), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

(1) was directly involved in the act or omission of the holder of the agent's [~~or manufacturer's agent's~~] permit;

(2) had notice or knowledge of the act or omission; or

(3) failed to take reasonable steps to prevent the act

or omission.

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

- (a) The holder of a distiller's and rectifier's permit may:
- (1) manufacture distilled spirits;
 - (2) rectify, purify, and refine distilled spirits and wines;
 - (3) mix wines, distilled spirits, or other liquors;
 - (4) bottle, label, and package the permit holder's finished products;
 - (5) sell the finished products in this state to holders of wholesaler's permits and to qualified persons outside the state;
 - (6) purchase distilled spirits, to be used only for manufacturing or rectification purposes, from holders of nonresident seller's permits or distiller's and rectifier's permits;
 - (7) dispense free distilled spirits for consumption on the permitted premises under Section 14.04; ~~[and]~~
 - (8) sell bulk alcohol produced by the permit holder to holders of industrial permits in this state; and
 - (9) ~~[+8+]~~ if located in a wet area, sell distilled spirits to ultimate consumers under Section 14.04 or 14.05.

ARTICLE 3. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES

CODE

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

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

(1) appoints a receiver or trustee;

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

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

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

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

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

I, Section 8, of the Texas Constitution, or Chapter 73;

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

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

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

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

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

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

(13) ~~[(12)]~~ denies a motion for summary judgment filed by an electric utility regarding liability in a suit subject to Section 75.0022.

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

(b) An interlocutory appeal under Subsection (a), other than an appeal under Subsection (a)(4) or in a suit brought under the Family Code, stays the commencement of a trial in the trial court

pending resolution of the appeal. An interlocutory appeal under Subsection (a)(3), (5), (8), or (12) also stays all other proceedings in the trial court pending resolution of that appeal.

ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

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

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

(g) Nothing in this article [~~section~~] shall be interpreted to limit an attorney's ability to communicate regarding his or her case within the Texas Disciplinary Rules of Professional Conduct, except for the communication of information identifying any victim or witness, including name, except as provided in Subsections (e)

and (f), address, telephone number, driver's license number, social security number, date of birth, and bank account information or any information that by reference would make it possible to identify a victim or a witness. Nothing in this subsection shall prohibit the disclosure of identifying information to an administrative, law enforcement, regulatory, or licensing agency for the purposes of making a good faith complaint.

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

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

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

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

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

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

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

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

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

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

(7) the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified,

if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;

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

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

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

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

(12) the right to be informed of the uses of a victim

impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:

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

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

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

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

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

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

(C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

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

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

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

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

(A) used in the commission of:

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

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

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

(iv) any offense under Chapter 49, Penal Code, that is punishable as a felony of the third degree or state jail felony, if the defendant has been previously convicted three times of an offense under that chapter;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 5. CHANGES RELATING TO EDUCATION CODE

SECTION 5.001. (a) Section 7.111(a), Education Code, as

amended by Chapters 339 (H.B. 2058) and 1217 (S.B. 1536), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

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

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

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

(1) over 17 years of age;

(2) 16 years of age or older and:

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

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

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

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

SECTION 5.002. Section 25.007(b), Education Code, as amended

by Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

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

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

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

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

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

(6) entering into a memorandum of understanding with the

Department of Family and Protective Services regarding the exchange of information as appropriate to facilitate the transition of students in substitute care from one school to another;

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

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

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

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

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

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

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

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

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

(G) use of corporal punishment as provided by Section 37.0011; ~~[and]~~

(10) developing procedures for allowing a student in substitute care who was previously enrolled in a course required for graduation the opportunity, to the extent practicable, to complete the course, at no cost to the student, before the beginning of the next school year;

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

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

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

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

(a) During an agency investigation or audit of a school

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

SECTION 5.004. Section 39.057(a), Education Code, as amended by Chapters 211 (H.B. 5) and 509 (S.B. 123), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

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

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

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

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

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

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

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

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

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

(10) when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced

course as determined by the commissioner;

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

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

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

(14) [~~(13)~~] in response to a complaint submitted to the agency with respect to alleged inaccurate data that is reported through the Public Education Information Management System (PEIMS) or through other reports required by state or federal law or rule or court order and that is used by the agency to make a determination relating to public school accountability, including accreditation, under this chapter; or

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

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

SECTION 5.006. (a) Section 61.0662, Education Code, as redesignated from Section 61.051(h), Education Code, and

transferred and amended by Chapter 1155 (S.B. 215), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to incorporate amendments to Section 61.051(h), Education Code, made by Chapter 507 (S.B. 67), Acts of the 83rd Legislature, Regular Session, 2013, and amended to read as follows:

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

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

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

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

(b) Section 61.051(h), Education Code, as amended by Chapter

507 (S.B. 67), Acts of the 83rd Legislature, Regular Session, 2013, is repealed.

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

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

ARTICLE 6. CHANGES RELATING TO ELECTION CODE

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

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

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

ARTICLE 7. CHANGES RELATING TO FAMILY CODE

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

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

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

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

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

granted deferred disposition for an offense described by Subsection (a) are confidential and may not be disclosed to the public.

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

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

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

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

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

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

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

(6) ~~[(+3)]~~ with the written permission of the individual,

by military personnel, including a recruiter, of this state or the United States if the individual is an applicant for enlistment in the armed forces.

SECTION 7.004. Section 263.306(a), Family Code, as amended by Chapters 191 (S.B. 352), 204 (H.B. 915), and 688 (H.B. 2619), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a) At each permanency hearing the court shall:

(1) identify all persons or parties present at the hearing or those given notice but failing to appear;

(2) review the efforts of the department or another agency in:

(A) attempting to locate all necessary persons;

(B) requesting service of citation; and

(C) obtaining the assistance of a parent in providing information necessary to locate an absent parent, alleged father, or relative of the child;

(3) review the efforts of each custodial parent, alleged father, or relative of the child before the court in providing information necessary to locate another absent parent, alleged father, or relative of the child;

(4) review any visitation plan or amended plan required under Section 263.107 and render any orders for visitation the court determines necessary;

(5) return the child to the parent or parents if the

child's parent or parents are willing and able to provide the child with a safe environment and the return of the child is in the child's best interest;

(6) place the child with a person or entity, other than a parent, entitled to service under Chapter 102 if the person or entity is willing and able to provide the child with a safe environment and the placement of the child is in the child's best interest;

(7) evaluate the department's efforts to identify relatives who could provide the child with a safe environment, if the child is not returned to a parent or another person or entity entitled to service under Chapter 102;

(8) evaluate the parties' compliance with temporary orders and the service plan;

(9) identify an education decision-maker for the child if one has not previously been identified;

(10) review the medical care provided to the child as required by Section 266.007;

(11) [~~+9+~~] ensure the child has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on the medical care provided;

(12) [~~+10+~~] for a child receiving psychotropic medication, determine whether the child:

(A) has been provided appropriate psychosocial therapies, behavior strategies, and other non-pharmacological

interventions; and

(B) has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days for purposes of the review required by Section 266.011;

(13) [~~(11)~~] determine whether:

(A) the child continues to need substitute care;

(B) the child's current placement is appropriate for meeting the child's needs, including with respect to a child who has been placed outside of the state, whether that placement continues to be in the best interest of the child; and

(C) other plans or services are needed to meet the child's special needs or circumstances;

(14) [~~(12)~~] if the child is placed in institutional care, determine whether efforts have been made to ensure placement of the child in the least restrictive environment consistent with the best interest and special needs of the child;

(15) [~~(13)~~] if the child is 16 years of age or older, order services that are needed to assist the child in making the transition from substitute care to independent living if the services are available in the community;

(16) [~~(14)~~] determine plans, services, and further temporary orders necessary to ensure that a final order is rendered before the date for dismissal of the suit under this chapter;

(17) [~~(15)~~] if the child is committed to the Texas Juvenile Justice Department or released under supervision by the

Texas Juvenile Justice Department, determine whether the child's needs for treatment, rehabilitation, and education are being met; and

(18) [~~(16)~~] determine the date for dismissal of the suit under this chapter and give notice in open court to all parties of:

- (A) the dismissal date;
- (B) the date of the next permanency hearing; and
- (C) the date the suit is set for trial.

SECTION 7.005. Section 263.503(a), Family Code, as amended by Chapters 204 (H.B. 915) and 688 (H.B. 2619), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a) At each placement review hearing, the court shall determine whether:

(1) the child's current placement is necessary, safe, and appropriate for meeting the child's needs, including with respect to a child placed outside of the state, whether the placement continues to be appropriate and in the best interest of the child;

(2) efforts have been made to ensure placement of the child in the least restrictive environment consistent with the best interest and special needs of the child if the child is placed in institutional care;

(3) the services that are needed to assist a child who is at least 16 years of age in making the transition from

substitute care to independent living are available in the community;

(4) the child is receiving appropriate medical care;

(5) the child has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on the medical care provided;

(6) a child who is receiving psychotropic medication:

(A) has been provided appropriate psychosocial therapies, behavior strategies, and other non-pharmacological interventions; and

(B) has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days for purposes of the review required by Section 266.011;

(7) other plans or services are needed to meet the child's special needs or circumstances;

(8) the department or authorized agency has exercised due diligence in attempting to place the child for adoption if parental rights to the child have been terminated and the child is eligible for adoption;

(9) for a child for whom the department has been named managing conservator in a final order that does not include termination of parental rights, a permanent placement, including appointing a relative as permanent managing conservator or returning the child to a parent, is appropriate for the child;

(10) for a child whose permanency goal is another

planned, permanent living arrangement, the department has:

(A) documented a compelling reason why adoption, permanent managing conservatorship with a relative or other suitable individual, or returning the child to a parent is not in the child's best interest; and

(B) identified a family or other caring adult who has made a permanent commitment to the child;

(11) the department or authorized agency has made reasonable efforts to finalize the permanency plan that is in effect for the child; ~~and~~

(12) if the child is committed to the Texas Juvenile Justice Department or released under supervision by the Texas Juvenile Justice Department, the child's needs for treatment, rehabilitation, and education are being met;

(13) ~~(10)~~ an education decision-maker for the child has been identified; and

(14) ~~(11)~~ the child's education needs and goals have been identified and addressed.

SECTION 7.006. Section 264.121(a-1), Family Code, as amended by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a-1) The department shall require a foster care provider to provide or assist youth who are age 14 or older in obtaining experiential life-skills training to improve their transition to

independent living. Experiential life-skills training must be tailored to a youth's skills and abilities and must include training in practical activities that include grocery shopping, meal preparation and cooking, [~~and~~] performing basic household tasks, and, when appropriate, using public transportation.

SECTION 7.007. Section 264.121(f), Family Code, as amended by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

- (1) housing services;
- (2) job training and employment services;
- (3) college preparation services;
- (4) services that will assist youth in obtaining a general education development certificate;
- (5) services that will assist youth in developing skills in food preparation;
- (6) nutrition education that promotes healthy food choices; [~~and~~]
- (7) [~~(5)~~] a savings or checking account if the youth is at least 18 years of age and has a source of income; and
- (8) [~~(7)~~] any other appropriate transitional living service identified by the department.

ARTICLE 8. CHANGES RELATING TO FINANCE CODE

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

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

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

(2) any taxes;

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

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

ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE

PART A. GENERAL CHANGES

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

(d) Notwithstanding any other provision of this subchapter, if a person is placed on deferred adjudication community supervision under Section 5, Article 42.12, Code of Criminal

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

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

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

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

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

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

(1) the State Board for Educator Certification;

(2) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement;

(3) the Texas Medical Board;

(4) the Texas School for the Blind and Visually Impaired;

(5) the Board of Law Examiners;

(6) the State Bar of Texas;

(7) a district court regarding a petition for name change under Subchapter B, Chapter 45, Family Code;

- (8) the Texas School for the Deaf;
- (9) the Department of Family and Protective Services;
- (10) the Texas Juvenile Justice Department;
- (11) the Department of Assistive and Rehabilitative Services;
- (12) the Department of State Health Services, a local mental health service, a local mental retardation authority, or a community center providing services to persons with mental illness or retardation;
- (13) the Texas Private Security Board;
- (14) a municipal or volunteer fire department;
- (15) the Texas Board of Nursing;
- (16) a safe house providing shelter to children in harmful situations;
- (17) a public or nonprofit hospital or hospital district, or a facility as defined by Section 250.001, Health and Safety Code;
- (18) the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, the consumer credit commissioner, or the credit union commissioner;
- (19) the Texas State Board of Public Accountancy;
- (20) the Texas Department of Licensing and Regulation;
- (21) the Health and Human Services Commission;
- (22) the Department of Aging and Disability Services;
- (23) the Texas Education Agency;

(24) the Judicial Branch Certification Commission;

(25) a county clerk's office in relation to a proceeding for the appointment of a guardian under Title 3, Estates [~~Chapter XIII, Texas Probate~~] Code;

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

(A) the Department of Information Resources; or

(B) a contractor or subcontractor of the Department of Information Resources;

(27) the Texas Department of Insurance;

(28) the Teacher Retirement System of Texas; and

(29) [~~(30)~~] the Texas State Board of Pharmacy.

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

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

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

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

(3) a color photograph of the license holder;

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

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

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

(7) (48) ~~(48)~~ the designation "VETERAN" if required under Subsection (e).

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

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

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

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

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

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

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

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

SECTION 9.007. Section 411.199(e), Government Code, as

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

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

(a) This section applies only to:

(1) peace officers as defined by Article 2.12, Code of Criminal Procedure;

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

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

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

(5) employees of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

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

(7) criminal investigators of the United States as

described by Article 2.122(a), Code of Criminal Procedure;

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

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

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

(11) employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code; ~~[and]~~

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

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

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

(2) "Specialty court" means:

(A) a prostitution prevention program established

under Chapter 126 or former law [~~Chapter 169A, Health and Safety Code~~];

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

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

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

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

SECTION 9.010. Section 2262.101, Government Code, as amended by Chapters 676 (H.B. 1965) and 1227 (S.B. 1681), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

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

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

(3) providing recommendations to the comptroller

regarding:

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

(B) the training under Section 2262.053;

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

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

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

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

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

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

(1) the amount of appropriations to the agency;

(2) total contract value as a percentage of appropriations to the agency; or

(3) the impact of the functions and duties of the state agency on the health, safety, and well-being of residents

[~~citizens~~].

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

(d) A state agency shall:

(1) comply with a recommendation made under Subsection (a)(1); or

(2) submit a written explanation regarding why the recommendation is not applicable to the contract under review.

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

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

(1) that the team identifies as posing a low risk of loss to the state; or

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

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

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

PART B. UPDATE OF COURT FEES AND COSTS

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

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

Sec. 101.021. SUPREME COURT FEES AND COSTS: GOVERNMENT CODE.

The clerk of the supreme court shall collect fees and costs as follows:

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

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

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

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

(5) certified question from a federal court of appeals

to the supreme court (Sec. 51.005, Government Code) . . . \$75;

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

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

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

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

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

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

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

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

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

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

SECTION 9.103. (a) Section 101.041, Government Code, is

amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) appellate judicial system filing fees for:

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(9) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment,

or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(10) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

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

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

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

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

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

(16) fee for performing a service:

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

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

the service;

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

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

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

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

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

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

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

Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT

CODE. The clerk of a district court shall collect fees and costs under the Government Code as follows:

(1) appellate judicial system filing fees for:

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

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

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

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

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

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

(F) to fund the construction, renovation, or

improvement of Travis County court facilities, if authorized by the county commissioners court (Sec. 51.710, Government Code) . . . not more than \$15;

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

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

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

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

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

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

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

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

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

(7) for records management and preservation (Sec.

51.317, Government Code) . . . \$10;

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

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

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

(10) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

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

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

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

(14) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a

page (Sec. 51.318, Government Code) . . . not to exceed \$1;

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

(16) fee for performing a service:

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

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

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

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

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

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

(19) at a hearing held by an associate judge appointed under Subchapter B, Chapter 54A, Government Code, a court cost to preserve the record, in the absence of a court reporter, by any means approved by the associate judge (Sec. 54A.110, Government

Code) . . . as assessed by the referring court or associate judge;
and

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

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

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

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

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

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

(3) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an

application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 1053.052, Estates Code) [~~(Sec. 622, Texas Probate Code)~~] . . . probable cost of the guardianship proceeding; [~~and~~]

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

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

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

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

(1) appellate judicial system filing fees:

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

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

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

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

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

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

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

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

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

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

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

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

(2) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

(3) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;

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

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

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

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

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

(7) an additional filing fee:

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

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

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

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

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

(E) to fund the construction, renovation, or improvement of Rockwall County court facilities, if authorized by

the county commissioners court (Sec. 51.709, Government Code) . . .
not more than \$15; and

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

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

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

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

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

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

[~~{10}~~] in Nueces County, in matters of concurrent
jurisdiction with the district court, with certain exceptions, fees
(Sec. 25.1802, Government Code) . . . equal to those in district

court cases;

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

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

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

(b) The following are repealed:

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

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

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

(4) Section 101.08119, Government Code, as added by Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular Session, 2013.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) approving and recording bond (Sec.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) additional filing fee for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund

civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$10;

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

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

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

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

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

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

SECTION 9.108. Section 101.0815, Government Code, is amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080), Acts of the 83rd Legislature, Regular Session, 2013, and is further

amended to read as follows:

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

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

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

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

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

(5) nonrefundable fee to cover the cost of administering Subchapter G, Chapter 1104, Estates Code (Sec. 1104.303, Estates

Code) . . . \$40; and

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

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

Sec. 101.1011. STATUTORY PROBATE COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a statutory probate court shall collect fees and costs under the Government Code as follows:

(1) appellate judicial system filing fees:

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

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

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

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

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

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

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

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

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

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

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

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

(2) additional filing fees as follows:

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

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

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

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

(D) to fund the construction, renovation, or improvement of Rockwall County court facilities, if authorized by

the county commissioners court (Sec. 51.709, Government Code) . . .
not more than \$15; and

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

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

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

(5) a fee not otherwise listed in this subchapter that
is required to be collected under Section 25.0029, Government Code
(Sec. 25.0029, Government Code) . . . as prescribed by law relating
to county judges' fees; and

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

(b) The following are repealed:

(1) Section 101.10116, Government Code;

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

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

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

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

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

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

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

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

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

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

(iii) small estates (Sec. 118.052, Local

Government Code) . . . \$40;

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

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

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

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

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

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

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

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

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

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

(vii) filing a document not listed under this paragraph after the filing of an order approving the inventory and appraisement or after the 120th day after the date of the initial filing of the action, whichever occurs first (Secs. 118.052 and

191.007, Local Government Code), if more than 25 pages . . . \$25;

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

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

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

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

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

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

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

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

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

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

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

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

(D) letters testamentary, letter of guardianship,

letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

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

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

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

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

(b) Section 101.103, Government Code, is repealed.

SECTION 9.111. Section 101.1014, Government Code, is amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080), Acts of the 83rd Legislature, Regular Session, 2013, and is further amended to read as follows:

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

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

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

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

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

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

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

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

Sec. 101.1212. COUNTY COURT FEES AND COSTS: GOVERNMENT

CODE. The clerk of a county court shall collect the following fees and costs under the Government Code:

(1) appellate judicial system filing fees:

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

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

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

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

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

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

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

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

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

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

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

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

(2) a jury fee (Sec. 51.604, Government Code) . . . \$22;

(3) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40; ~~and~~

(4) a filing fee to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(v) mental health or chemical dependency

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

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

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

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

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

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

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

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

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

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

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

(D) claim against estate (Secs. 118.052 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) additional filing fee for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention,

interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$10; and

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

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

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

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

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

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

(3) fee on filing an application, complaint, petition, or other paper in a guardianship proceeding, which includes a

deposit for payment to an attorney ad litem (Sec. 1052.051, Estates Code) . . . cost of filing and payment of attorney ad litem;

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

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

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

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

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

(1) additional court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the commissioners court (Sec. 152.005, Civil Practice and Remedies Code) . . . not to exceed \$5;

(2) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

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

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

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

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

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

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

(A) expenses of service of process;

(B) postage; and

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

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

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

(2) additional filing fees:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL

CASES: CODE OF CRIMINAL PROCEDURE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Code of Criminal Procedure if ordered by the court or otherwise required:

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) fee for failure to appear for trial in a justice or municipal court if a jury trial is not waived (Art. 45.026, Code of

Criminal Procedure) . . . costs incurred for impaneling the jury;

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

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

(15) an additional fee:

(A) for a copy of the defendant's driving record to be requested from the Department of Public Safety by the judge (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal to the sum of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal fee;

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

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

(16) a request fee for teen court program (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the court ordering the

fee is located in the Texas-Louisiana border region, but otherwise not to exceed \$10;

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

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

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

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

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

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

(21) sight orders:

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

(B) if the face amount of the check or sight order

is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$15;

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

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

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

(22) fees for a pretrial intervention program:

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

(B) a district attorney, criminal district attorney, or county attorney administrative fee (Art. 102.0121, Code of Criminal Procedure) . . . not to exceed \$500;

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

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

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

(24) an administrative fee for collection of fines,

fees, restitution, or other costs (Art. 102.072, Code of Criminal Procedure) . . . not to exceed \$2 for each transaction; [~~and~~]

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

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

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

SECTION 9.118. (a) Section 103.0213, Government Code, is amended to read as follows:

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

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

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

(2-a) administrative fee on remediation of charge of

operation of a vehicle without a registration insignia (Sec. 502.473, Transportation Code) . . . not to exceed \$10;

(3) administrative fee on remediation of charge of driving with an expired inspection certificate (Sec. 548.605, Transportation Code) . . . not to exceed \$20;

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

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

(b) Section 103.0213, Government Code, as amended by Chapter 1291 (H.B. 2305), Acts of the 83rd Legislature, Regular Session, 2013, effective March 1, 2015, is amended to read as follows:

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

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

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

(2-a) administrative fee on remediation of charge of

operation of a vehicle without a registration insignia (Sec. 502.473, Transportation Code) . . . not to exceed \$10;

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

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

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

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

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

(2) cost paid by each surety posting the bail bond for an offense other than a misdemeanor punishable by fine only under Chapter 17, Code of Criminal Procedure, for the assistant prosecutor supplement fund and the fair defense account (Sec. 41.258, Government Code) . . . \$15, provided the cost does not exceed \$30 for all bail bonds posted at that time for an individual and the cost is not required on the posting of a personal or cash bond;

(3) to participate in a court proceeding in this state, a nonresident attorney fee (Sec. 82.0361, Government Code) . . . \$250 except as waived or reduced under supreme court rules for

representing an indigent person; ~~and~~

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

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

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

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

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

(9) a nonrefundable program fee for a prostitution prevention program (Sec. 126.006, Government Code) . . . a reasonable amount not to exceed \$1,000, which must include a counseling and services fee in an amount necessary to cover the costs of counseling and services provided by the program, a victim

services fee in an amount equal to 10 percent of the total fee, and a law enforcement training fee in an amount equal to five percent of the total fee.

(b) The following are repealed:

(1) Section 103.0271, Government Code; and

(2) Section 103.0292, Government Code, as added by Chapter 1167 (S.B. 484), Acts of the 83rd Legislature, Regular Session, 2013.

ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE

SECTION 10.001. Section 250.001(3), Health and Safety Code, as amended by Chapters 605 (S.B. 944) and 1168 (S.B. 492), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(3) "Facility" means:

(A) a nursing home, custodial care home, or other institution licensed by the Department of Aging and Disability Services under Chapter 242;

(B) an assisted living facility licensed by the Department of Aging and Disability Services under Chapter 247;

(C) a home and community support services agency licensed under Chapter 142;

(D) an adult day care facility licensed by the Department of Aging and Disability Services under Chapter 103, Human Resources Code;

(E) a facility for persons with intellectual

disabilities [~~mental retardation~~] licensed under Chapter 252;

(F) an adult foster care provider that contracts with the Department of Aging and Disability Services;

(G) a facility that provides mental health services and that is operated by or contracts with the Department of State Health Services;

(H) a local mental health or mental retardation authority designated under Section 533.035;

(I) a person exempt from licensing under Section 142.003(a)(19);

(J) a special care facility licensed by the Department of State Health Services under Chapter 248; [~~or~~]

(K) a mental health service unit of a hospital licensed under Chapter 241; or

(L) [~~(K)~~] a prescribed pediatric extended care center licensed by the Department of Aging and Disability Services under Chapter 248A.

SECTION 10.002. Section 711.052(a), Health and Safety Code, as amended by Chapters 123 (S.B. 661) and 220 (H.B. 52), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

(1) engages in a business for cemetery purposes in this state other than through a corporation organized for that purpose, if a corporation is required by law;

(2) fails or refuses to keep records of interment as required by Sections 711.003 and 711.004;

(3) sells, offers to sell, or advertises for sale a plot or the exclusive right of sepulture in a plot for purposes of speculation or investment;

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

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

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

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

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

(9) ~~[(7)]~~ fails or refuses to register as a cemetery

broker as required by Subchapter C-1.

SECTION 10.003. Section 754.016(c), Health and Safety Code, as amended by Chapters 538 (S.B. 540) and 558 (S.B. 673), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

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

SECTION 10.004. Section 754.023(k), Health and Safety Code, as amended by Chapter 538 (S.B. 540), Acts of the 83rd Legislature, Regular Session, 2013, is repealed to conform to the repeal of Section 754.023, Health and Safety Code, by Chapter 558 (S.B. 673), Acts of the 83rd Legislature, Regular Session, 2013.

SECTION 10.005. Section 773.0571, Health and Safety Code, as amended by Chapters 1089 (H.B. 3556) and 1311 (S.B. 8), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

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

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

(2) each emergency medical services vehicle is adequately constructed, equipped, maintained, and operated to

render basic or advanced life support services safely and efficiently;

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

(4) the applicant:

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

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

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

(6) the applicant employs a medical director; and

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

SECTION 10.006. Section 1001.076(a), Health and Safety Code, as amended by Chapter 1217 (S.B. 1536), Acts of the 83rd Legislature, Regular Session, 2013, is repealed to conform to the repeal of Section 1001.076, Health and Safety Code, by Chapter 352 (H.B. 2392), Acts of the 83rd Legislature, Regular Session, 2013.

ARTICLE 11. CHANGES RELATING TO INSURANCE CODE

SECTION 11.001. Section 401.156, Insurance Code, as amended by Chapters 489 (S.B. 1665) and 1286 (H.B. 2163), Acts of the 83rd

Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

Sec. 401.156. DEPOSIT AND USE OF ASSESSMENT AND FEE. (a) The department shall deposit any assessments or fees collected under this subchapter relating to the examination of insurers and other regulated entities by the financial examinations division or actuarial division, as those terms are defined by Section 401.251, to the credit of an account with the Texas Treasury Safekeeping Trust Company to be used exclusively to pay examination costs, as defined by Section 401.251, to reimburse administrative support costs for the Texas Department of Insurance operating account, and to reimburse premium tax credits for examination costs and examination overhead assessments~~[, reimbursement of the Texas Department of Insurance operating account for administrative support costs, and reimbursement of premium tax credits for examination costs and examination overhead assessments]~~.

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

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

(d) To the extent that another provision of law conflicts with this section or a provision of this section, this section or

the provision of this section controls.

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

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

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

- (1) a copy of the daily report;
- (2) the amount of the insurance and risks insured against;
- (3) a brief general description of the property insured and the location of that property;
- (4) the gross premium charged;
- (5) the return premium paid;
- (6) the rate of premium charged on the different items of property;
- (7) the contract terms, including the effective date;

- (8) the insured's name and post office address;
- (9) the insurer's name and home office address;
- (10) the amount collected from the insured;
- (11) an agreement under Section 225.006(c); ~~[and]~~

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

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

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

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

(b) Section 1355.015(a-1), Insurance Code, as added by Chapter 1070 (H.B. 3276), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to conform to the changes made to Section 1355.015(a), Insurance Code, by Chapter 1359 (S.B. 1484), Acts of the 83rd Legislature, Regular Session, 2013, to read as follows:

(a-1) At a minimum, a health benefit plan must provide

coverage for treatment of autism spectrum disorder as provided by this section to an enrollee who is diagnosed with autism spectrum disorder from the date of diagnosis, only if the diagnosis was in place prior to the child's 10th birthday.

ARTICLE 12. CHANGES RELATING TO LOCAL GOVERNMENT CODE

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

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

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

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

(3) for zoning that provides for the use of land or classifies a parcel of land according to the municipality's

district classification scheme;

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

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

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

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

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

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

(10) relating to floodplain control and administration, including an ordinance regulating the placement of a structure, fill, or other materials in a designated floodplain;

(11) ~~[(10)]~~ relating to animal care and control; or

(12) [~~(11)~~] relating to water conservation measures, including watering restrictions.

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

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

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

ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) ~~(11)~~ the temporary suspension under Section 61.0171 of the determination of the "line of vegetation" or the "natural line of vegetation."

ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

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

CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY

VETERANS, AND MILITARY SPOUSES

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

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

ARTICLE 15. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS
CODE

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

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

(b) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each

house, as provided by Section 39, Article III, Texas Constitution.

If this Act does not receive the vote necessary for immediate effect, this section takes effect September 1, 2015.

SECTION 15.002. (a) Section 8446.006, Special District Local Laws Code, as added by Chapter 1250 (S.B. 1910), Acts of the 83rd Legislature, Regular Session, 2013, is amended to conform to Section 8446.006, Special District Local Laws Code, as added by Chapter 1309 (H.B. 3954), Acts of the 83rd Legislature, Regular Session, 2013, to read as follows:

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

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

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

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

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

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

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

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

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

(b) Section 8469.106(c), Special District Local Laws Code, as added by Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature, Regular Session, 2013, is repealed.

ARTICLE 16. CHANGES RELATING TO TAX CODE

SECTION 16.001. Section 25.025(a), Tax Code, as amended by Chapters 996 (H.B. 2267) and 1028 (H.B. 2676), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a) This section applies only to:

(1) a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure;

(2) a county jailer as defined by Section 1701.001, Occupations Code;

(3) an employee of the Texas Department of Criminal Justice;

(4) a commissioned security officer as defined by Section 1702.002, Occupations Code;

(5) a victim of family violence as defined by Section 71.004, Family Code, if as a result of the act of family violence against the victim, the actor is convicted of a felony or a Class A misdemeanor;

(6) a federal judge, a state judge, or the spouse of a federal judge or state judge;

(7) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(8) an officer or employee of a community supervision and corrections department established under Chapter 76, Government Code, who performs a duty described by Section 76.004(b) of that code;

(9) a criminal investigator of the United States as described by Article 2.122(a), Code of Criminal Procedure;

(10) a police officer or inspector of the United States

Federal Protective Service;

(11) a current or former United States attorney or assistant United States attorney and the spouse and child of the attorney;

(12) a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement; ~~and~~

(13) a medical examiner or person who performs forensic analysis or testing who is employed by this state or one or more political subdivisions of this state; and

(14) ~~[(13)]~~ a current or former member of the United States armed forces who has served in an area that the president of the United States by executive order designates for purposes of 26 U.S.C. Section 112 as an area in which armed forces of the United States are or have engaged in combat.

SECTION 16.002. Section 33.49(a), Tax Code, as amended by Chapters 1259 (H.B. 585) and 1290 (H.B. 2302), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

(a) Except as provided by Subsection (b), a taxing unit is not liable in a suit to collect taxes for court costs, including any fees for service of process or electronic filing, an attorney ad litem, arbitration, or mediation, and may not be required to post security for costs.

SECTION 16.003. Section 171.052(a), Tax Code, as amended by

Chapters 569 (S.B. 734) and 1232 (H.B. 500), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

(a) Except as provided by Subsection (c), an insurance organization, title insurance company, or title insurance agent authorized to engage in insurance business in this state that is required to pay an annual tax measured by its gross premium receipts is exempted from the franchise tax. A nonadmitted insurance organization that is required to pay a gross premium receipts tax during a tax year is exempted from the franchise tax for that same tax year. A nonadmitted insurance organization that is subject to an occupation tax or any other tax that is imposed for the privilege of doing business in another state or a foreign jurisdiction, including a tax on gross premium receipts, is exempted from the franchise tax.

SECTION 16.004. Section 351.101(a), Tax Code, as amended by Chapters 541 (S.B. 551) and 546 (S.B. 585), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information

centers, or both;

(2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;

(3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;

(5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

(A) at or in the immediate vicinity of convention center facilities or visitor information centers; or

(B) located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;

(6) for a municipality located in a county with a population of one million or less, expenses, including promotion

expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity;

(7) subject to Section 351.1076, the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, and flag football, if:

(A) the municipality owns the facilities or fields;

(B) the municipality:

(i) has a population of 80,000 or more and is located in a county that has a population of 350,000 or less;

(ii) has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;

(iii) has a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million;

(iv) has a population of at least 13,000 but less than 39,000 and is located in a county that has a population of at least 200,000;

(v) has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;

(vi) is located in a county that:

(a) is adjacent to the Texas-Mexico border;

(b) has a population of at least 500,000; and

(c) does not have a municipality with a population greater than 500,000;

(vii) has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less; ~~[or]~~

(viii) has a population of at least 7,500 and is located in a county that borders the Pecos River and that has a population of not more than 15,000; or

(ix) ~~[(viii)]~~ is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located; and

(C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;

(8) for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;

(9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;

(10) the construction of a recreational venue in the immediate vicinity of area hotels, if:

(A) the municipality:

(i) is a general-law municipality;

(ii) has a population of not more than 900;

and

(iii) does not impose an ad valorem tax;

(B) not more than \$100,000 of municipal hotel occupancy tax revenue is used for the construction of the recreational venue;

(C) a majority of the hotels in the municipality request the municipality to construct the recreational venue;

(D) the recreational venue will be used primarily by hotel guests; and

(E) the municipality will pay for maintenance of the recreational venue from the municipality's general fund;

(11) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:

(A) has a population of at least 90,000 but less than 120,000; and

(B) is located in two counties, at least one of

which contains the headwaters of the San Gabriel River; and

(12) for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism.

ARTICLE 17. CHANGES RELATING TO TRANSPORTATION CODE

SECTION 17.001. Section 222.108(d), Transportation Code, as amended by Chapter 1182 (S.B. 971), Acts of the 83rd Legislature, Regular Session, 2013, and repealed by Chapter 114 (S.B. 1110), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to give effect to the amendment by Chapter 1182 to read as follows:

(d) In this section, "transportation project" includes:

(1) transportation projects described by Section 370.003; and

(2) port security, transportation, or facility projects described by Section 55.001(5).

SECTION 17.002. Section 222.110(e), Transportation Code, as amended by Chapters 114 (S.B. 1110) and 1134 (H.B. 2300), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(e) The sales and use taxes to be deposited into the tax increment account under this section may be disbursed from the

account only to:

(1) pay for projects authorized under Section 222.104 or 222.108; and

(2) notwithstanding Sections 321.506 and 323.505, Tax Code, satisfy claims of holders of tax increment bonds, notes, or other obligations issued or incurred for projects authorized under Section 222.104, ~~[or]~~ 222.1071, or 222.108.

SECTION 17.003. Section 251.018, Transportation Code, as added by Chapter 1134 (H.B. 2300), Acts of the 83rd Legislature, Regular Session, 2013, is repealed as duplicative of Section 251.019, Transportation Code, as added by Chapter 1372 (S.B. 1747), Acts of the 83rd Legislature, Regular Session, 2013.

SECTION 17.004. Section 460.406(c), Transportation Code, is amended to correct a reference to read as follows:

(c) The board of directors may authorize the negotiation of a contract without competitive sealed bids or proposals if:

(1) the aggregate amount involved in the contract is \$50,000 or less;

(2) the contract is for construction for which not more than one bid or proposal is received;

(3) the contract is for services or property for which there is only one source or for which it is otherwise impracticable to obtain competition;

(4) the contract is to respond to an emergency for which the public exigency does not permit the delay incident to the

competitive process;

(5) the contract is for personal or professional services or services for which competitive bidding is precluded by law;

(6) the contract, without regard to form and which may include bonds, notes, loan agreements, or other obligations, is for the purpose of borrowing money or is a part of a transaction relating to the borrowing of money, including:

(A) a credit support agreement, such as a line or letter of credit or other debt guaranty;

(B) a bond, note, debt sale or purchase, trustee, paying agent, remarketing agent, indexing agent, or similar agreement;

(C) an agreement with a securities dealer, broker, or underwriter; and

(D) any other contract or agreement considered by the board of directors to be appropriate or necessary in support of the authority's financing activities;

(7) the contract is for work that is performed and paid for by the day as the work progresses;

(8) the contract is for the lease or purchase of an interest in land;

(9) the contract is for the purchase of personal property sold:

(A) at an auction by a state licensed auctioneer;

(B) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code; or

(C) by a political subdivision of this state, a state agency, or an entity of the federal government;

(10) the contract is for services performed by blind or severely disabled persons;

(11) the contract is for the purchase of electricity;

(12) the contract is one for an authority project and awarded for alternate project delivery using the procedures under Subchapters E, F, G, and I, Chapter 2269 [2267], Government Code[~~as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature, Regular Session, 2011~~]; or

(13) the contract is for fare enforcement officer services under Section 460.1092.

SECTION 17.005. Section 502.402(a), Transportation Code, as amended by Chapters 1273 (H.B. 1198) and 1277 (H.B. 1573), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

(a) This section applies only to:

(1) a county that:

(A) borders the United Mexican States; and

(B) has a population of more than 250,000; and

(2) a county that has a population of more than 1.5 million that is coterminous with a regional mobility authority.

SECTION 17.006. Section 521.044(a), Transportation Code, as amended by Chapters 1012 (H.B. 2512) and 1105 (H.B. 3787), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(a) Information provided on a driver's license application that relates to the applicant's social security number may be used only by the department or disclosed only to:

(1) the child support enforcement division of the attorney general's office;

(2) another state entity responsible for enforcing the payment of child support;

(3) the United States Selective Service System as provided by Section 521.147;

(4) the unclaimed property division of the comptroller's office; ~~or~~

(5) the Health and Human Services Commission; or

(6) ~~(5)~~ the secretary of state for the purposes of voter registration or the administration of elections.

SECTION 17.007. Section 541.201(1), Transportation Code, as amended by Chapters 17 (S.B. 223), 254 (H.B. 567), 275 (H.B. 802), and 630 (S.B. 1917), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(1) "Authorized emergency vehicle" means:

(A) a fire department or police vehicle;

(B) a public or private ambulance operated by a

person who has been issued a license by the Department of State Health Services;

(C) an emergency medical services vehicle:

(i) authorized under an emergency medical services provider license issued by the Department of State Health Services under Chapter 773, Health and Safety Code; and

(ii) operating under a contract with an emergency services district that requires the emergency medical services provider to respond to emergency calls with the vehicle;

(D) a municipal department or public service corporation emergency vehicle that has been designated or authorized by the governing body of a municipality;

(E) [~~(D)~~] a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioners court;

(F) a vehicle that has been designated by the department under Section 546.0065;

(G) [~~(E)~~] a private vehicle of a volunteer firefighter or a certified emergency medical services employee or volunteer when responding to a fire alarm or medical emergency;

(H) [~~(F)~~] an industrial emergency response vehicle, including an industrial ambulance, when responding to an emergency, but only if the vehicle is operated in compliance with criteria in effect September 1, 1989, and established by the predecessor of the Texas Industrial Emergency Services Board of the State Firemen's

and Fire Marshals' Association of Texas;

(I) [~~(G)~~] a vehicle of a blood bank or tissue bank, accredited or approved under the laws of this state or the United States, when making emergency deliveries of blood, drugs, medicines, or organs;

(J) [~~(H)~~] a vehicle used for law enforcement purposes that is owned or leased by a federal governmental entity; or

(K) [~~(H)~~] a private vehicle of an employee or volunteer of a county emergency management division in a county with a population of more than 46,500 and less than 48,000 that is designated as an authorized emergency vehicle by the commissioners court of that county.

SECTION 17.008. Section 681.008(b), Transportation Code, as amended by Chapters 223 (H.B. 120), 309 (H.B. 1514), and 1010 (H.B. 2485), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(b) A vehicle on which license plates described by Subsection (a)(2) or issued under Section 504.202, [~~Section~~] 504.310, 504.315, [~~or~~] 504.316, or 504.319 are displayed is exempt from the payment of a parking fee collected through a parking meter charged by a governmental authority other than a branch of the federal government, when being operated by or for the transportation of:

(1) the person who registered the vehicle under Section 504.202(a), [~~Section~~] 504.310, 504.315, [~~or~~] 504.316, or 504.319;

(2) a person described in Section 504.202(b) if the vehicle is registered under that subsection; or

(3) the owner or operator of a vehicle displaying license plates described by Subsection (a)(2).

ARTICLE 18. CHANGES RELATING TO WATER CODE

SECTION 18.001. Section 13.1871(s), Water Code, as added by Chapter 171 (S.B. 567), Acts of the 83rd Legislature, Regular Session, 2013, is repealed as duplicative of Section 13.1871(s), Water Code, as added by Chapter 170 (H.B. 1600), Acts of the 83rd Legislature, Regular Session, 2013.

ARTICLE 19. CHANGES RELATING TO THE DISPOSITION OF CERTAIN CIVIL STATUTES

SECTION 19.001. (a) Subtitle D, Title 13, Occupations Code, is amended to codify Chapter 528 (S.B. 155), Acts of the 76th Legislature, Regular Session, 1999 (Article 178d-1, Vernon's Texas Civil Statutes), by adding Chapter 2158 to read as follows:

CHAPTER 2158. SPECIAL EVENT PARKING CHARGE LIMITATION

Sec. 2158.001. DEFINITIONS. In this chapter:

(1) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(2) "Parking facility," "parking facility owner," and "vehicle" have the meanings assigned by Section 2308.002, Occupations Code.

(3) "Special event" includes a sporting event,

convention, concert, exhibit, parade, or political rally.

Sec. 2158.002. LIMITATION OF PARKING CHARGE IN CONNECTION WITH SPECIAL EVENT. (a) A parking facility owner may not charge for parking a vehicle in the parking facility in connection with a special event an amount that is more than two times the amount computed using the rate that is normally charged for parking a vehicle in the facility on that day of the week and at that time.

(b) This section does not apply to an institution of higher education or a private or independent institution of higher education.

Sec. 2158.003. CRIMINAL OFFENSE. (a) A person commits an offense if the person violates Section 2158.002(a).

(b) An offense under this section is a Class C misdemeanor.

(c) It is a defense to prosecution under this section that the parking facility owner posted a conspicuous sign at least two feet wide and two feet high at the entrance to the parking facility stating:

(1) in print at least six inches in height, the rate that is normally charged for parking a vehicle in the facility; and

(2) in print at least six inches in height, the rate that is charged for parking a vehicle in the facility in connection with a special event.

(b) Chapter 528 (S.B. 155), Acts of the 76th Legislature, Regular Session, 1999 (Article 178d-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 19.002. Chapter 294 (S.B. 281), Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-90, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.003. Chapter 496 (S.B. 102), Acts of the 47th Legislature, Regular Session, 1941 (Article 695d, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.004. (a) Title 4, Water Code, is amended to codify Chapter 702 (S.B. 1358), Acts of the 68th Legislature, Regular Session, 1983 (Article 717r, Vernon's Texas Civil Statutes), by adding Chapter 51A to read as follows:

CHAPTER 51A. METROPOLITAN WATER CONTROL AND IMPROVEMENT DISTRICTS
AND SUBDISTRICTS

Sec. 51A.001. DEFINITIONS. In this chapter:

- (1) "Board" means the board of directors of a district.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "District" means a conservation and reclamation district that:
 - (A) is created by general or special law pursuant to Section 59, Article XVI, Texas Constitution;
 - (B) is governed by Chapter 51 to the extent the provisions of that chapter are not inconsistent with the provisions of any special law creating the district; and
 - (C) contains at least 10,000 acres after all exclusions of land have occurred.

(4) "Refunding bond" means a refunding bond issued by a district.

(5) "Residential neighborhood" means an area that, as it develops, will consist of detached single-family residences on not less than 79 percent of the net residential acreage of the area and will consist of condominiums or multifamily rental units with a density greater than 15 units per net residential acre on not more than 10 percent of the net residential acreage of the area. Notwithstanding the foregoing, "residential neighborhood" means an area that, as it develops, will consist of detached single-family residences on not less than 87-1/2 percent of the net residential acreage of the area if the preliminary engineering report adopted by the board before the authorization of bonds stipulates that approximately 87-1/2 percent of the net residential acreage will consist of single-family residences; provided, however, that on the full utilization of all facilities constructed with the proceeds of the bonds authorized, the definition of "residential neighborhood" stated in the first sentence of this subdivision applies. A variance of as much as three percent from the percentages set forth above is permissible during development if the percentages are met on completion of development.

(6) "Subdistrict" means a conservation and reclamation district created pursuant to Section 59, Article XVI, Texas Constitution, and this chapter to provide fresh water supply and distribution, sanitary sewage collection and treatment, and storm

sewer and drainage facilities and services to residential neighborhoods.

(7) "Subdistrict board" means the board of directors of a subdistrict.

Sec. 51A.002. REFUNDING BONDS. (a) A district may issue bonds to refund all or part of its outstanding bonds, notes, or other obligations, including matured but unpaid interest. Except as otherwise provided by this section, Section 51.438 applies to refunding bonds issued under this section.

(b) Refunding bonds may be payable from:

(1) the same source as the bonds, notes, or other obligations being refunded;

(2) the source described by Subdivision (1) and additional sources; or

(3) sources other than the source described by Subdivision (1).

(c) A district must publish notice of intent to issue refunding bonds at least once a week for two consecutive weeks in a newspaper of general circulation within the district and at least 15 days before the date of the meeting of the board at which it is proposed to issue the bonds. Before the issuance of the bonds, if a petition signed by not less than 10 percent of the registered voters of the district is filed with the district calling for a referendum on the refunding bond issue, the board shall, at its next meeting, order an election to be held within the district to

determine whether the bonds shall be issued. The election shall be held in the manner prescribed by Chapter 1251, Government Code, for the issuance of municipal bonds.

Sec. 51A.003. CREATION OF SUBDISTRICTS. (a) The commission may create subdistricts over designated territory within the boundaries of a district as provided by this section.

(b) A petition that contains the substance of the requirements of Sections 51.013 and 51.014 must be filed with the commission.

(c) The commission shall have notice of the hearing on the petition given in the manner required by Section 51.018.

(d) The hearing must be conducted in the manner provided by Section 51.020, and the commission shall grant or refuse the petition in the manner provided by Section 51.021. An appeal from the decision of the commission must be made in the manner provided by Sections 51.022 through 51.025. The commission shall appoint five directors to serve as the subdistrict board, each of whom must meet the qualifications provided by Section 51.072.

(e) Not later than the 60th day after the date on which a petition for the creation of a subdistrict is granted by the commission, the subdistrict board shall adopt an order calling elections within the boundaries of the subdistrict in the manner provided by Subchapter D, Chapter 49, to:

(1) confirm the creation of the subdistrict in the manner provided by Section 49.102;

(2) authorize the issuance of bonds by the subdistrict or by the district on behalf of the subdistrict to be repaid by ad valorem taxes, revenue, or ad valorem taxes and revenue derived by the subdistrict;

(3) authorize a tax within the boundaries of the subdistrict to make payments under a contract with the district to support refunding bonds of the district in accordance with the exclusions procedure provided by Section 51A.005;

(4) authorize a maintenance tax within the boundaries of the subdistrict in the manner provided by Section 49.107; and

(5) elect a permanent board of directors for the subdistrict in the manner provided by Subchapter D, Chapter 49, and Section 51.075.

(f) A subdistrict:

(1) may sue and be sued in its own name;

(2) until excluded from the boundaries of the district in accordance with Section 51A.005, has concurrent jurisdiction with the district that is in the territory within the boundaries of the subdistrict; and

(3) may exercise the rights and powers of the district within the boundaries of the subdistrict.

(g) The ad valorem plan of taxation applies to each subdistrict, and a hearing for exclusions of land from a subdistrict is not necessary before an election under Subsection (e) is held.

(h) A subdistrict may be dissolved in the same manner as a district.

(i) A subdistrict is governed by Chapter 51 and all other general laws of this state to the extent those laws are not inconsistent with this chapter.

Sec. 51A.004. SUBDISTRICT BONDS. (a) Before adopting an order calling elections under Section 51A.003(e), the engineer for a subdistrict shall present a report to the subdistrict board that conforms to Section 51.410 with regard to the bonds to be issued by the subdistrict or by the district on behalf of the subdistrict.

(b) After the engineer's report is filed and approved, the subdistrict board shall order an election within the boundaries of the subdistrict to authorize the issuance of bonds by the subdistrict or by the district on behalf of the subdistrict in accordance with this chapter and Sections 49.106 and 51.411.

(c) Bonds authorized at an election within the subdistrict may only be repaid from ad valorem taxes imposed on all taxable property within the boundaries of the subdistrict or income, increment, and revenue derived from the ownership or operation of any part of the assets of the subdistrict or any combination of those sources. The district is not liable for the repayment of those bonds except as provided by this subsection.

(d) A subdistrict may issue refunding bonds as provided by Section 51A.002.

(e) Bonds issued by a subdistrict or by the district on

behalf of the subdistrict are investment securities under Chapter 2257, Government Code, are public securities under Chapter 1201, Government Code, and are subject to the general laws of this state relating to bonds of a water control and improvement district to the extent that those general laws are not inconsistent with this chapter.

Sec. 51A.005. EXCLUSION OF TERRITORY WITHIN SUBDISTRICT. (a)

A subdistrict board shall call an election within the subdistrict to coincide with the confirmation election under Section 51A.003(e) at which a proposition shall be submitted to the voters to authorize the subdistrict to enter into a contract with the district under which the subdistrict would impose an unlimited ad valorem tax on all taxable property within the subdistrict to repay to the district a portion of the district's total outstanding indebtedness. That portion would be calculated by multiplying the total outstanding indebtedness of the district on the date of the first payment under the proposed contract by a percentage equal to the proportion of the total taxable property within the district borne by the total taxable property within the subdistrict, as of the date of the preceding tax roll.

(b) The ballots in the election under Subsection (a) shall be printed to provide for voting for or against the following proposition: "The execution of a contract and the imposition of taxes to pay for the contract." A copy of the proposed contract shall be available at the office of the district for inspection

before the election. The election shall otherwise be conducted in conformity with the provisions of Chapter 51 relating to elections to approve a tax-supported contract with the United States.

(c) If the proposition is approved at the election under Subsection (a), the board of the district shall, on receipt of a petition that conforms substantially to Section 49.305 and describes the territory within the subdistrict, conduct a hearing not later than the 30th day after the date of receipt of the petition on the exclusion of the subdistrict from the boundaries of the district.

(d) If the subdistrict board establishes at the hearing that the subdistrict has been created, has authorized the issuance of bonds by the subdistrict or by the district on behalf of the subdistrict, has authorized the tax-supported contract payment, and has elected a permanent board of directors, the board of the district shall, at the conclusion of the hearing, enter an order approving the contract supported by a tax within the subdistrict and excluding all land within the subdistrict from the boundaries of the district contingent only on the completion of the refunding bond issue.

(e) Refunding bonds may be issued by a district to implement the exclusion of land within a subdistrict under any terms that are considered advisable by the board of the district and are only subject to the interest rate limitations imposed by the constitution and laws of this state. If refunding bonds are not

issued by a district on or before the 30th day after the date of the hearing at which the subdistrict establishes all items in Subsection (d), all property within the subdistrict is considered excluded from the boundaries of the district on the expiration of the 30th day after the date of the hearing.

(f) Any subdistrict located within a service area as defined by a United States Environmental Protection Agency grant used by a district to expand its wastewater treatment plant shall obtain wastewater treatment services to the extent of capacity provided with the United States Environmental Protection Agency grant proceeds from the wastewater treatment plant constructed with the prior proceeds of the United States Environmental Protection Agency grant in accordance with the terms of a contract approved by the governing bodies of the subdistrict and the district.

(g) To reduce the cost of services to its residents and taxpayers, the subdistrict shall use the employees, consultants, staff, and services of the district and reimburse the district for all costs of furnishing those services. The services may be terminated for good cause. The subdistrict and the district shall submit to arbitration any dispute between the subdistrict and the district.

Sec. 51A.006. WATER AND SEWER RATES. A district shall establish rates for all services to subdistricts after the exclusion of the subdistricts from the boundaries of the district. The rates may not exceed 150 percent of the rates for similar

services for residents of the district.

Sec. 51A.007. ELECTION DATES. An election authorized by this chapter may be held on any day of the year other than a general election date and is not limited to the uniform election dates established by Section 41.001(a), Election Code.

Sec. 51A.008. PUBLIC PURPOSE. This chapter facilitates and advances the conservation and reclamation of the natural resources of this state by permitting certain water control and improvement districts to extend fresh water supply and distribution facilities, storm water and flood control facilities, and sanitary sewage collection and treatment facilities into areas that have previously not received such facilities. The reclamation of land for development and use as residential neighborhoods will be implemented and the health, welfare, and safety of residents of those neighborhoods will be additionally protected.

Sec. 51A.009. CONSTRUCTION. The powers granted by this chapter to districts shall be broadly interpreted and liberally construed to effect the legislative intent and the purposes of this chapter and not as a limitation of powers.

(b) Chapter 702 (S.B. 1358), Acts of the 68th Legislature, Regular Session, 1983 (Article 717r, Vernon's Texas Civil Statutes), is repealed.

SECTION 19.005. (a) Chapter 49, Water Code, is amended to codify Chapter 707 (H.B. 993), Acts of the 69th Legislature, Regular Session, 1985 (Article 973c, Vernon's Texas Civil

Statutes), by adding Subchapter J-1 to read as follows:

SUBCHAPTER J-1. EXCLUSION OF URBAN PROPERTY FROM CERTAIN WATER
DISTRICTS

Sec. 49.3181. DEFINITIONS. As used in this subchapter:

(1) "District" means any district or authority created under Sections 52(b)(1) and (2), Article III, or Section 59, Article XVI, Texas Constitution, the principal purpose of which is, or that is principally engaged in, supplying water for the irrigation of agricultural lands.

(2) "Urban property" means land that:

(A) has been subdivided into town lots, town lots and blocks, or small parcels of the same general nature as town lots or town lots and blocks and is designed, intended, or suitable for residential or other nonagricultural purposes, as distinguished from farm acreage, and includes streets, alleys, parkways, parks, and railroad property and rights-of-way within that subdivided land; and

(B) is in a subdivision:

(i) that is within the corporate limits or extraterritorial jurisdiction of a municipality that has subdivision approval jurisdiction under Chapter 212, Local Government Code; and

(ii) for which a plat or map has been filed and recorded in the office of the county clerk of the county in which the subdivision or any part of the subdivision is located.

Sec. 49.3182. CONDITIONS FOR EXCLUSION OF URBAN PROPERTY.

Urban property that is located in a district may be excluded from the district as provided by this subchapter only after the following have been paid to the district:

(1) all taxes, assessments, and other charges of the district accrued on the property to be excluded, together with all interest and penalties accrued on those taxes, assessments, and charges;

(2) the proportionate part of the outstanding bonded indebtedness or indebtedness in connection with a loan from an agency of the United States for which the property proposed to be excluded is liable, as determined under this subchapter; and

(3) agreement on a reasonable determined amount to be paid by the municipality or other supplier of potable water to compensate the district for loss of revenue occasioned by the exclusion.

Sec. 49.3183. APPLICATION FOR EXCLUSION. (a) The owner or owners of urban property in a district and subject to taxation by the district, and on which all amounts due the district under Section 49.3182(1) have been paid, may file a written and sworn application with the district to exclude that property from the district.

(b) The application must:

(1) include a sworn acknowledgment by the owner or owners of the property;

(2) describe the property to be excluded by identifying the lot or block number of the subdivision and the name or designation of the subdivision as shown on the recorded plat of the subdivision, or by some other method of identification; and

(3) state that the property is used or intended to be used for the purposes for which it was subdivided and is not used or intended to be used, wholly or partly, for agricultural purposes.

(c) A copy of the recorded map or plat of the subdivision must accompany the application and must clearly delineate the part of the subdivision, if less than the whole, to be excluded from the district.

(d) The applicant must also provide the district with evidence satisfactory to, or required by, the board of the applicant's:

(1) ownership of the property proposed to be excluded; and

(2) right to have the property excluded from the district.

Sec. 49.3184. CONSIDERATION OF APPLICATION. (a) As soon as practicable after an application is filed, the board shall consider the application and inquire into all the facts relating to the application that the board considers necessary for determining whether a public hearing on the application should be held.

(b) After consideration and investigation, the board shall

adopt an order approving further consideration of the application if the board finds that:

(1) all amounts due the district under Section 49.3182(1) up to the date of the filing of the application have been paid;

(2) the property described in the application:

(A) is owned by the applicant;

(B) is urban property and is not used or intended to be used for agricultural purposes; and

(C) will require a source of treated potable water from the municipality in which the subdivision is located; and

(3) the exclusion of the property will not cut off the district or its facilities from ready and convenient access to other land remaining in the district for irrigation or other district purposes.

(c) If the board is unable to make any one of the findings under Subsection (b), it shall adopt a resolution rejecting the application.

(d) A resolution of the board rejecting an application is final and not subject to review by any other body, tribunal, or authority.

Sec. 49.3185. DETERMINATION OF PROPORTIONATE AMOUNT OF INDEBTEDNESS. (a) If the board approves further consideration of an application, the board shall determine the proportionate amount of the bonded or contractual indebtedness for which the property to

be excluded is liable as provided by this section.

(b) If the district has outstanding bonded indebtedness, the board shall obtain from the chief appraiser a certified copy of the appraised value of all the property to be excluded for the five years preceding the year in which the application is filed, as shown by the tax rolls of the district, and the appraised value of all taxable property in the district according to the most recent tax rolls of the district. The part of the district's total outstanding bonded indebtedness to be paid by the applicant as a condition precedent to the exclusion of the property is that proportion of the indebtedness, including unpaid interest computed to the date of the order, that the appraised value of the property to be excluded bears to the appraised value of all taxable property in the district according to the most recent tax rolls.

(c) If the district has contractual or other indebtedness being repaid on the benefit tax basis, the board shall obtain from the appropriate records the manner in which the tax is assessed, and from those records the district shall calculate the part of the total outstanding indebtedness of the district remaining to be paid that is attributable to the property to be excluded.

(d) The order of the board approving further consideration of the application must also state the amounts required to be paid under Section 49.3182 as a condition of the exclusion of the property.

Sec. 49.3186. DEADLINE FOR PAYMENT OF AMOUNTS DUE. The order

of the board approving further consideration of the application has no force or effect and no further proceeding may be held on the application unless the applicant deposits with the district the amounts due under Section 49.3182 not later than:

(1) the 20th day after the date on which the order was adopted; or

(2) the expiration of a period not to exceed 30 days after the date on which the order was adopted as ordered by the board.

Sec. 49.3187. NOTICE AND HEARING. (a) If the deposit is made within the time provided by Section 49.3186, the board shall order a public hearing to be held on the application at the regular office of the district not less than 15 or more than 30 days after the date of the hearing order.

(b) The board shall have notice of the hearing posted in a conspicuous place in the office of the district and at the courthouse of the county in which the property proposed to be excluded is situated.

Sec. 49.3188. RESOLUTION EXCLUDING URBAN PROPERTY OR REJECTING APPLICATION; EFFECTS OF EXCLUSION. (a) If, as a result of a hearing ordered under Section 49.3187, the board finds that the owners of a majority in acreage of the urban property do not desire irrigation of that property or that the urban property is not used or intended to be used for agricultural purposes, the board shall adopt a resolution setting forth those findings and excluding the

urban property or the part of the urban property as to which the findings are made.

(b) If any canals, ditches, pipelines, pumps, or other facilities of the district are located on land excluded under the resolution, the exclusion does not affect or interfere with any district rights to maintain and continue operation of the facilities as located to service land remaining in the district.

(c) A copy of the resolution excluding urban property from the district certified to and acknowledged by the secretary of the board must be recorded by the district in the deed records of the county in which the excluded property is located as evidence of the exclusion.

(d) On the passage of the resolution:

(1) the property excluded does not constitute a part of the district; and

(2) the owner of the excluded property:

(A) has no further liability to the district or for any bonded or other indebtedness of the district; and

(B) is not subject to further taxation by the district.

(e) If the board determines from the hearing that for any reason the application should not be granted, the board shall adopt a resolution rejecting the application, and the deposit made by the applicant is subject to withdrawal by the applicant or on the board's order.

Sec. 49.3189. CONVERSION OF WATER RIGHTS. After a district excludes land from the district's territory under this subchapter, the municipality or other municipal supplier that proposes to serve the land with a potable water supply may petition the district to convert the proportionate water rights previously allocated for the land from irrigation use rights to municipal use rights for the use and benefit of the municipality or other municipal supplier. The district shall compute the proportionate water rights available and shall initiate administrative proceedings to convert the irrigation use rights to municipal use rights. Before the district is obligated to initiate the administrative proceedings, the municipality or other municipal supplier must deposit with the district the amount that the district estimates the district will incur as reasonable expenses and attorney's fees in those proceedings. On approval of the conversion by the commission, the district shall deliver the water to the municipality or other municipal supplier in the manner those entities may agree to under this code.

(b) Chapter 707 (H.B. 993), Acts of the 69th Legislature, Regular Session, 1985 (Article 973c, Vernon's Texas Civil Statutes), is repealed.

SECTION 19.006. Article 974d-45, Revised Statutes, is repealed as executed.

SECTION 19.007. (a) Chapter 199, Transportation Code, is amended to codify Chapter 181 (H.B. 871), Acts of the 69th

Legislature, Regular Session, 1985 (Article 1182k, Vernon's Texas Civil Statutes), by adding Section 199.002 to read as follows:

Sec. 199.002. RAILROAD FUNCTIONS AS PUBLIC AND GOVERNMENTAL FUNCTIONS. (a) In this section:

(1) "Railroad" means an enterprise created and operated to carry passengers, freight, or both on a fixed track. The term includes all real estate and interests in real estate, equipment, machinery, materials, structures, buildings, stations, facilities, and other improvements that are necessary to, or for the benefit of, the enterprise.

(2) "Municipality" means a home-rule municipality.

(b) The planning, acquisition, establishment, development, construction, enlarging, improvement, maintenance, equipping, operation, regulation, protection, policing, leasing, and alienation of a railroad or railroad facility by a municipality or other public agency, separately or jointly exercised:

(1) are declared to be public and governmental functions that are exercised for a public purpose and matters of public necessity; and

(2) in the case of a municipality, are declared to be municipal functions and purposes as well as public and governmental.

(c) All land and other property and privileges acquired and used by or on behalf of a municipality or other public agency for railroad purposes:

(1) are declared to be acquired for public and governmental purposes and as a matter of public necessity; and

(2) in the case of a municipality, are declared to be acquired for a municipal purpose.

(d) This section does not confer or convey governmental immunity or any other limitation of liability to any entity that is not a governmental entity, governmental authority, or public agency, or a subdivision of a governmental entity, governmental authority, or public agency.

(b) Chapter 181 (H.B. 871), Acts of the 69th Legislature, Regular Session, 1985 (Article 1182k, Vernon's Texas Civil Statutes), is repealed.

SECTION 19.008. Chapter 4 (S.B. 455), page 689, General Laws, Acts of the 46th Legislature, Regular Session, 1939 (Article 2603c1, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.009. Chapter 404 (H.B. 768), Acts of the 47th Legislature, Regular Session, 1941 (Article 2603c2, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.010. Section 2, Chapter 3 (S.B. 2), Acts of the 62nd Legislature, Regular Session, 1971 (Article 2619b, Vernon's Texas Civil Statutes), is repealed as no longer necessary because Pan American University was transferred to The University of Texas System and renamed by Chapter 181 (S.B. 47), Acts of the 71st Legislature, Regular Session, 1989.

SECTION 19.011. Chapter 357 (S.B. 319), Acts of the 64th

Legislature, Regular Session, 1975 (Article 4413(32e), Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.012. Chapter 672 (H.B. 1880), Acts of the 65th Legislature, Regular Session, 1977 (Article 4413(42a), Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.013. Article 2, Chapter 4 (S.B. 3), Acts of the 72nd Legislature, 1st Called Session, 1991 (Article 4413(56a), Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.014. Chapter 685 (H.B. 235), Acts of the 60th Legislature, Regular Session, 1967 (Article 4413d-3, Vernon's Texas Civil Statutes), is repealed because a portion was revised in 1975 as Section 12.010, Parks and Wildlife Code, and the remainder is obsolete.

SECTION 19.015. (a) Subchapter B, Chapter 531, Government Code, is amended to codify Section 26, Chapter 1027 (H.B. 18), Acts of the 71st Legislature, Regular Session, 1989 (Article 4438g, Vernon's Texas Civil Statutes), by adding Section 531.02193 to read as follows:

Sec. 531.02193. CERTAIN CONDITIONS ON MEDICAID REIMBURSEMENT OF RURAL HEALTH CLINICS PROHIBITED. The commission may not impose any condition on the reimbursement of a rural health clinic under the Medicaid program if the condition is more stringent than the conditions imposed by the Rural Health Clinic Services Act of 1977 (Pub. L. No. 95-210) or the laws of this state regulating the practice of medicine, pharmacy, or professional nursing.

(b) Section 26, Chapter 1027 (H.B. 18), Acts of the 71st Legislature, Regular Session, 1989 (Article 4438g, Vernon's Texas Civil Statutes), is repealed.

SECTION 19.016. Article 5311b, Revised Statutes, is repealed as executed.

SECTION 19.017. Chapter 128 (S.B. 108), Acts of the 53rd Legislature, Regular Session, 1953 (Article 5382b-1, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.018. Chapter 399 (S.B. 238), Acts of the 57th Legislature, Regular Session, 1961 (Article 5421c-9, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.019. The following provisions are repealed as executed:

(1) Chapter 37 (H.B. 12), Acts of the 43rd Legislature, 3rd Called Session, 1934 (Article 5421f, Vernon's Texas Civil Statutes); and

(2) Section 1, Chapter 191 (H.B. 56), Acts of the 47th Legislature, Regular Session, 1941 (Article 5421f-1, Vernon's Texas Civil Statutes).

SECTION 19.020. Chapter 280 (S.B. 374), Acts of the 54th Legislature, Regular Session, 1955 (Article 5421o, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.021. (a) Sections 11(b), (c), and (d), Chapter 141, Acts of the 66th Legislature, Regular Session, 1979 (Article 5920-11, Vernon's Texas Civil Statutes), are repealed as executed.

(b) The headings to Sections 6, 11, and 21, Chapter 141, Acts of the 66th Legislature, Regular Session, 1979 (Article 5920-11, Vernon's Texas Civil Statutes), are repealed as unnecessary.

SECTION 19.022. Chapter 292 (H.B. 685), Acts of the 54th Legislature, Regular Session, 1955 (Article 6070f, Vernon's Texas Civil Statutes), is repealed as executed.

SECTION 19.023. Chapter 466 (H.B. 1910), Acts of the 71st Legislature, Regular Session, 1989 (Article 6701j-2, Vernon's Texas Civil Statutes), is repealed because it was revised in 2003 as Section 1001.106, Education Code.

SECTION 19.024. (a) Subchapter Z, Chapter 2175, Government Code, is amended to codify Article 9023d, Revised Statutes, by adding Section 2175.907 to read as follows:

Sec. 2175.907. DISPOSAL OF COMPUTER EQUIPMENT BY CHARITABLE ORGANIZATION. (a) In this section:

(1) "Computer equipment" includes computers, telecommunications devices and systems, automated information systems, and peripheral devices and hardware that are necessary to the efficient installation and operation of that equipment, but does not include computer software.

(2) "Charitable organization" has the meaning assigned by Section 84.003, Civil Practice and Remedies Code.

(b) Except as provided by Subsections (c) and (d), a charitable organization that expends funds received from the state, whether by appropriation, grant, or otherwise, to purchase computer

equipment may not dispose of or discard the equipment before the fourth anniversary of the date the organization purchased the equipment.

(c) This section does not prohibit:

- (1) the sale or trade of computer equipment; or
- (2) the disposal of equipment that is not operational.

(d) A charitable organization may dispose of computer equipment purchased with state funds within the four-year period after the date of purchase by donating the equipment to another charitable organization.

(e) This section applies only to computer equipment that a charitable organization purchases for at least \$500.

(f) The comptroller shall adopt rules to implement this section.

(b) Article 9023d, Revised Statutes, is repealed.

ARTICLE 20. CHANGES RELATING TO THE ESTATES CODE AND

CODIFICATION OF THE TEXAS PROBATE CODE

SECTION 20.001. Section 15.007, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 15.007. CONFLICT WITH CERTAIN PROVISIONS. Notwithstanding Sections 15.004, 15.005, and 15.031, to the extent that venue under this chapter for a suit by or against an executor, administrator, or guardian as such, for personal injury, death, or property damage conflicts with venue provisions under the Estates [~~Texas Probate~~] Code, this chapter controls.

SECTION 20.002. Section 21.001(b), Estates Code, is amended to read as follows:

(b) Consistent with the objectives of the statutory revision program, the purpose of this code[, ~~except Subtitle X, Title 2, and Subtitles Y and Z, Title 3,~~] is to make the law encompassed by this code[, ~~except Subtitle X, Title 2, and Subtitles Y and Z, Title 3,~~] more accessible and understandable by:

- (1) rearranging the statutes into a more logical order;
- (2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;
- (3) eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and
- (4) restating the law in modern American English to the greatest extent possible.

SECTION 20.003. Section 21.002, Estates Code, is amended to read as follows:

Sec. 21.002. CONSTRUCTION. [~~a~~] Except as provided by [~~this section,~~] Section 22.027[,], or [~~Section~~] 1002.023, Chapter 311, Government Code (Code Construction Act), applies to the construction of a provision of this code.

[~~(b) Chapter 311, Government Code (Code Construction Act), does not apply to the construction of a provision of Subtitle X, Title 2, or Subtitle Y or Z, Title 3.~~]

SECTION 20.004. Section 21.003, Estates Code, is amended to

read as follows:

Sec. 21.003. STATUTORY REFERENCES. ~~[(a)]~~ A reference in a law other than in this code to a statute or a part of a statute revised by~~[, or redesignated as part of,]~~ this code is considered to be a reference to the part of this code that revises that statute or part of that statute ~~[or contains the redesignated statute or part of the statute, as applicable].~~

~~[(b) A reference in Subtitle X, Title 2, or Subtitle Y or Z, Title 3, to a chapter, a part, a subpart, a section, or any portion of a section "of this code" is a reference to the chapter, part, subpart, section, or portion of a section as redesignated in the Estates Code, except that:~~

~~[(1) a reference in Subtitle X, Title 2, or Subtitle Y or Z, Title 3, to Chapter I is a reference to Chapter I, Estates Code, and to the revision of sections derived from Chapter I, Texas Probate Code, and any reenactments and amendments to those sections; and~~

~~[(2) a reference in Subtitle X, Title 2, or Subtitle Y or Z, Title 3, to a chapter, part, subpart, section, or portion of a section that does not exist in the Estates Code is a reference to the revision or redesignation of the corresponding chapter, part, subpart, section, or portion of a section of the Texas Probate Code and any reenactments or amendments.]~~

SECTION 20.005. Section 21.005, Estates Code, is amended to read as follows:

Sec. 21.005. APPLICABILITY OF CERTAIN LAWS. ~~[(a)]~~
~~Notwithstanding Section 21.002(b) of this code and Section 311.002,~~
~~Government Code:~~

~~[(1) Section 311.032(c), Government Code, applies to~~
~~Subtitle X, Title 2, and Subtitles Y and Z, Title 3; and~~

~~[(2) Sections 311.005(4) and 311.012(b) and (c),~~
~~Government Code, apply to Subtitle X, Title 2, and Subtitles Y and~~
~~Z, Title 3.~~

~~[(b)]~~ Chapter 132, Civil Practice and Remedies Code, does not
apply to Subchapter C, Chapter 251.

SECTION 20.006. Section 34.001(b), Estates Code, is amended
to read as follows:

(b) Notwithstanding any other provision of this subtitle,
Title 1, ~~[Subtitle X, Title 2,]~~ Chapter 51, 52, 53, 54, 55, or 151,
or Section 351.001, 351.002, 351.053, 351.352, 351.353, 351.354, or
351.355, the proper venue for an action by or against a personal
representative for personal injury, death, or property damages is
determined under Section 15.007, Civil Practice and Remedies Code.

SECTION 20.007. Section 1021.001(a), Estates Code, is amended
to read as follows:

(a) For purposes of this code, in a county in which there is
no statutory probate court, a matter related to a guardianship
proceeding includes:

- (1) the granting of letters of guardianship;
- (2) the settling of an account of a guardian and all

other matters relating to the settlement, partition, or distribution of a ward's estate;

(3) a claim brought by or against a guardianship estate;

(4) an action for trial of title to real property that is guardianship estate property, including the enforcement of a lien against the property;

(5) an action for trial of the right of property that is guardianship estate property;

(6) after a guardianship of the estate of a ward is required to be settled as provided by Section 1204.001:

(A) an action brought by or on behalf of the former ward against a former guardian of the ward for alleged misconduct arising from the performance of the person's duties as guardian;

(B) an action calling on the surety of a guardian or former guardian to perform in place of the guardian or former guardian, which may include the award of a judgment against the guardian or former guardian in favor of the surety;

(C) an action against a former guardian of the former ward that is brought by a surety that is called on to perform in place of the former guardian;

(D) a claim for the payment of compensation, expenses, and court costs, and any other matter authorized under Chapter 1155 [~~and Subpart H, Part 2, Subtitle Z~~]; and

(E) a matter related to an authorization made or duty performed by a guardian under Chapter 1204; and

(7) the appointment of a trustee for a trust created under Section 1301.053 or 1301.054, the settling of an account of the trustee, and all other matters relating to the trust.

SECTION 20.008. Sections 34.306(a), (b), and (c), Finance Code, are amended to read as follows:

(a) Subject to Subchapter B, Chapter 111, and Chapters 112 and 113, Estates [~~Chapter XI, Probate~~] Code, a bank may accept and administer a deposit account:

(1) that is opened with the bank by one or more persons expressly as a trustee for one or more other named persons; and

(2) for which further notice of the existence and terms of a trust is not given in writing to the bank.

(b) For a deposit account that is opened with a bank by one or more persons expressly as a trustee for one or more other named persons under or purporting to be under a written trust agreement, the trustee may provide the bank with a certificate of trust to evidence the trust relationship. The certificate must be an affidavit of the trustee and must include the effective date of the trust, the name of the trustee, the name of or method for choosing successor trustees, the name and address of each beneficiary, the authority granted to the trustee, the disposition of the account on the death of the trustee or the survivor of two or more trustees, other information required by the bank, and an indemnification of the bank. The bank may accept and administer the account, subject to Subchapter B, Chapter 111, and Chapters 112 and 113, Estates

~~[Chapter XI, Probate]~~ Code, in accordance with the certificate of trust without requiring a copy of the trust agreement. The bank is not liable for administering the account as provided by the certificate of trust, even if the certificate of trust is contrary to the terms of the trust agreement, unless the bank has actual knowledge of the terms of the trust agreement.

(c) On the death of the trustee or of the survivor of two or more trustees, the bank may pay all or part of the withdrawal value of the account with interest as provided by the certificate of trust. If the trustee did not deliver a certificate of trust, the bank's right to treat the account as owned by a trustee ceases on the death of the trustee. On the death of the trustee or of the survivor of two or more trustees, the bank, unless the certificate of trust provides otherwise, shall pay the withdrawal value of the account with interest in equal shares to the persons who survived the trustee, are named as beneficiaries in the certificate of trust, and can be located by the bank from its own records. If there is not a certificate of trust, payment of the withdrawal value and interest shall be made as provided by Subchapter B, Chapter 111, and Chapters 112 and 113, Estates ~~[Chapter XI, Probate]~~ Code. Any payment made under this section for all or part of the withdrawal value and interest discharges any liability of the bank to the extent of the payment. The bank may pay all or part of the withdrawal value and interest in the manner provided by this section, regardless of whether it has knowledge of a competing

claim, unless the bank receives actual knowledge that payment has been restrained by court order.

SECTION 20.009. Section 34.307(c), Finance Code, is amended to read as follows:

(c) A bank may not exercise its right of set-off under this section against an account unless the account is due the depositor in the same capacity as the defaulted credit obligation. A trust account for which a depositor is trustee, including a trustee under a certificate of trust delivered under Section 34.306(b), is not subject to the right of set-off under this section unless the trust relationship is solely evidenced by the account card as provided by Subchapter B, Chapter 111, and Chapters 112 and 113, Estates [Chapter XI, Probate] Code.

SECTION 20.010. Section 59.105, Finance Code, is amended to read as follows:

Sec. 59.105. EFFECT OF SUBCHAPTER ON OTHER LAW. This subchapter does not affect Chapter 151, Estates [Sections 36B-36F, Texas Probate] Code, or another statute of this state governing safe deposit boxes.

SECTION 20.011. Section 95.011, Finance Code, is amended to read as follows:

Sec. 95.011. APPLICABILITY OF ESTATES [PROBATE] CODE. The applicable provisions of Subchapter B, Chapter 111, and Chapters 112 and 113, Estates [Chapter XI, Texas Probate] Code, govern deposit accounts held in a savings bank.

SECTION 20.012. Section 123.207, Finance Code, is amended to read as follows:

Sec. 123.207. FIDUCIARY POWERS. A credit union may:

(1) act, under court order or appointment, as guardian, receiver, trustee, executor, or administrator without giving bond;

(2) receive an investment from a person acting as a guardian, receiver, trustee, executor, or administrator under the Estates [~~Texas Probate~~] Code or Subtitle B, Title 9, Property Code;

(3) act as depository for money paid to a court or constituting the estate of a deceased person, a minor, or an incompetent;

(4) accept, execute, and administer a trust as trustee;

(5) accept funds or money for deposit by a fiduciary, trustee, receiver, guardian, executor, or administrator; or

(6) act as custodian or trustee of a pension or profit-sharing plan, including an individual retirement account or a pension fund of a self-employed individual or of the sponsor of a credit union.

SECTION 20.013. Section 125.001, Finance Code, is amended to read as follows:

Sec. 125.001. DEFINITION. In this chapter, "multiple-party account" has the meaning assigned by Section 113.004, Estates [~~436, Texas Probate~~] Code, except that the term includes an account in which one or more of the parties is an organization, association, corporation, or partnership.

SECTION 20.014. Section 125.308(a), Finance Code, is amended to read as follows:

(a) The death of a trustee does not affect the ownership or disposition of a trust account unless:

(1) the trust agreement provides otherwise; or

(2) there is not a surviving trustee, and:

(A) the account is a trust account subject to Subchapter B, Chapter 111, and Chapters 112 and 113, Estates [Chapter XI, Texas Probate] Code; or

(B) written evidence of the terms of the trust does not exist.

SECTION 20.015. Section 125.504(a), Finance Code, is amended to read as follows:

(a) Except as otherwise provided by this section, Sections 125.505 through 125.507, Chapter 151, Estates [~~Sections 36B through 36F, Texas Probate~~] Code, or other law, a credit union may not relocate a safe deposit box rented for a term of six months or longer if the box rental is not delinquent or may not open the box to relocate its contents to another location, unless:

(1) the lessee is present when the box is opened or relocated; or

(2) the lessee has given the credit union written authorization to relocate the box or to open the box for purposes of relocation.

SECTION 20.016. Section 182.020(b), Finance Code, is amended

to read as follows:

(b) A foreign corporation or other entity chartered or domiciled in another jurisdiction as a trust company or depository institution with trust powers may act as a trustee in this state only as provided by Subchapter A, Chapter 505, Estates [~~Section 105A, Texas Probate~~] Code.

SECTION 20.017. Section 187.002(b), Finance Code, is amended to read as follows:

(b) Notwithstanding Subsection (a), a trust institution that does not maintain a principal office, branch, or trust office in this state may act as a fiduciary in this state to the extent permitted by Subchapter A, Chapter 505, Estates [~~Section 105A, Probate~~] Code.

SECTION 20.018. Section 187.201(a), Finance Code, is amended to read as follows:

(a) An out-of-state trust institution may establish a representative trust office as permitted by this subchapter to:

(1) solicit, but not accept, fiduciary appointments;

(2) act as a fiduciary in this state to the extent permitted for a foreign corporate fiduciary by Subchapter A, Chapter 505, Estates [~~Section 105A, Probate~~] Code;

(3) perform ministerial duties with respect to existing clients and accounts of the trust institution;

(4) engage in an activity permitted by Section 182.021;

and

(5) to the extent the office is not acting as a fiduciary:

(A) receive for safekeeping personal property of every description;

(B) act as assignee, bailee, conservator, custodian, escrow agent, registrar, receiver, or transfer agent; and

(C) act as financial advisor, investment advisor or manager, agent, or attorney-in-fact in any agreed capacity.

SECTION 20.019. Section 274.113(a), Finance Code, is amended to read as follows:

(a) An action under this subchapter for a fiduciary account resulting from a decedent's estate or guardianship must be brought in the county provided for by the Estates [~~Texas Probate~~] Code with respect to the probate of a will, issuance of letters testamentary or of administration, administration of a decedent's estate, appointment of a guardian, and administration of a guardianship.

SECTION 20.020. Section 74.098(b), Government Code, is amended to read as follows:

(b) The court may appoint an attorney included on the list whose name does not appear first on the list or an attorney not included on the list if the appointment of that attorney as attorney ad litem is:

(1) required on a complex matter because the attorney possesses relevant specialized education, training, certification,

or skill;

(2) made pursuant to the Family Code, Health and Safety Code, Human Resources Code, Texas Trust Code (Subtitle B, Title 9, Property Code), or Estates [~~Texas Probate~~] Code; or

(3) agreed on by the parties and approved by the court.

SECTION 20.021. Section 118.056, Local Government Code, as amended by Chapter 66 (H.B. 1136), Acts of the 76th Legislature, Regular Session, 1999, is amended by amending Subsection (d), as added by Chapter 399 (H.B. 819), Acts of the 80th Legislature, Regular Session, 2007, to read as follows:

(d) The fee for filing an inventory and appraisal under Section 118.052(2)(B)(i) applies only if the instrument is filed after the 90th day after the date the personal representative has qualified to serve or, if the court grants an extension under Section 309.051, Estates [~~250, Texas Probate~~] Code, after the date of the extended deadline specified by the court.

SECTION 20.022. Section 118.067(a), Local Government Code, is amended to read as follows:

(a) The "supplemental court-initiated guardianship fee" under Section 118.052(2)(E) is for the support of the judiciary in guardianships initiated under Chapter 1102, Estates [~~Section 683, Texas Probate~~] Code. Fees collected under Section 118.052(2)(E) shall be deposited in a court-initiated guardianship fund in the county treasury and may be used only to supplement, rather than supplant, other available county funds used to:

(1) pay the compensation of a guardian ad litem appointed by a court under Section 1102.001, Estates [~~683, Texas Probate~~] Code;

(2) pay the compensation of an attorney ad litem appointed by a court to represent a proposed ward in a guardianship proceeding initiated under Chapter 1102, Estates [~~Section 683, Texas Probate~~] Code; and

(3) fund local guardianship programs that provide guardians for indigent incapacitated persons who do not have family members suitable and willing to serve as guardians.

SECTION 20.023. The following are repealed:

- (1) Section 21.001(c), Estates Code;
- (2) the heading to Subchapter E, Chapter 255, Estates Code;
- (3) Subtitle X, Title 2, Estates Code; and
- (4) Subtitles Y and Z, Title 3, Estates Code.

ARTICLE 21. REDESIGNATIONS

SECTION 21.001. The following provisions of enacted codes are redesignated to eliminate duplicate citations or to relocate misplaced provisions:

(1) Subdivision (26), Section 1.04, Alcoholic Beverage Code, as added by Chapter 1190 (S.B. 1090), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subdivision (28), Section 1.04, Alcoholic Beverage Code.

(2) Section 14.05, Alcoholic Beverage Code, as added by

Chapter 195 (S.B. 642), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 14.06, Alcoholic Beverage Code.

(3) Section 105.081, Alcoholic Beverage Code, as added by Chapter 535 (S.B. 518), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 105.082, Alcoholic Beverage Code.

(4) Chapter 109, Business & Commerce Code, as added by Chapter 1013 (H.B. 2539), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Chapter 110, Business & Commerce Code, and Sections 109.001, 109.002, and 109.003, Business & Commerce Code, as added by that Act, are redesignated as Sections 110.001, 110.002, and 110.003, Business & Commerce Code, respectively.

(5) Chapter 140, Civil Practice and Remedies Code, as added by Chapter 1066 (H.B. 3241), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Chapter 140A, Civil Practice and Remedies Code, and Sections 140.001, 140.002, 140.003, 140.004, 140.005, 140.006, 140.007, 140.008, 140.009, 140.010, 140.011, 140.012, and 140.013, Civil Practice and Remedies Code, as added by that Act, are redesignated as Sections 140A.001, 140A.002, 140A.003, 140A.004, 140A.005, 140A.006, 140A.007, 140A.008, 140A.009, 140A.010, 140A.011, 140A.012, and 140A.013, Civil Practice and Remedies Code, respectively.

(6) Subsection (a-1), Article 63.009, Code of Criminal

Procedure, as added by Chapter 571 (S.B. 742), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (a-3), Article 63.009, Code of Criminal Procedure.

(7) Section 7.064, Education Code, as added by Chapter 1282 (H.B. 2012), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 7.065, Education Code.

(8) Subsection (e), Section 21.044, Education Code, as added by Chapter 1282 (H.B. 2012), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (g), Section 21.044, Education Code.

(9) Subsection (d), Section 21.054, Education Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (g), Section 21.054, Education Code.

(10) Section 39.038, Education Code, as added by Chapter 1279 (H.B. 1675), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 39.040, Education Code.

(11) Section 39.0545, Education Code, as added by Chapter 167 (S.B. 1538), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 39.0548, Education Code.

(12) Section 39.084, Education Code, as added by Chapter 895 (H.B. 3), Acts of the 81st Legislature, Regular Session, 2009, is transferred to Subchapter A, Chapter 44, Education Code, and redesignated as Section 44.0051, Education Code.

(13) Subsection (d), Section 51.406, Education Code, as

added by Chapter 1312 (S.B. 59), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (e), Section 51.406, Education Code.

(14) Section 56.009, Education Code, as added by Chapter 1155 (S.B. 215), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 56.0091, Education Code.

(15) Subchapter II, Chapter 61, Education Code, as added by Chapter 983 (H.B. 2099), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter JJ, Chapter 61, Education Code.

(16) Subchapter II, Chapter 61, Education Code, as added by Chapter 1229 (S.B. 1720), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter KK, Chapter 61, Education Code.

(17) Section 54.04011, Family Code, as added by Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 54.04012, Family Code.

(18) Subsection (g), Section 264.121, Family Code, as added by Chapter 342 (H.B. 2111), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (h), Section 264.121, Family Code.

(19) Section 264.124, Family Code, as added by Chapter 444 (S.B. 769), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 264.125, Family Code.

(20) Section 72.031, Government Code, as added by

Chapter 1249 (S.B. 1908), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 72.032, Government Code.

(21) Subtitle K, Title 2, Government Code, as added by Chapter 42 (S.B. 966), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subtitle L, Title 2, Government Code.

(22) Subsection (e), Section 411.185, Government Code, as added by Chapter 665 (H.B. 1349), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (g), Section 411.185, Government Code.

(23) Section 442.028, Government Code, as added by Chapter 376 (H.B. 3211), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 442.029, Government Code.

(24) Section 501.023, Government Code, as added by Chapter 261 (H.B. 634), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 501.024, Government Code.

(25) Subsection (e), Section 508.281, Government Code, as added by Chapter 1154 (S.B. 213), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (f), Section 508.281, Government Code.

(26) Subsection (l), Section 531.102, Government Code, as added by Chapter 1311 (S.B. 8), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (o), Section 531.102, Government Code.

(27) Subdivision (7), Section 551.001, Government Code,

as added by Chapter 685 (H.B. 2414), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subdivision (8), Section 551.001, Government Code.

(28) Section 662.056, Government Code, as added by Chapter 51 (H.B. 419), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 662.057, Government Code.

(29) Section 791.035, Government Code, as added by Chapter 1211 (S.B. 1411), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 791.036, Government Code.

(30) Subchapter O, Chapter 2054, Government Code, as added by Chapter 32 (S.B. 1102), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter N-1, Chapter 2054, Government Code, and Sections 2054.551, 2054.552, 2054.553, and 2054.554, Government Code, as added by that Act, are redesignated as Sections 2054.511, 2054.512, 2054.513, and 2054.514, Government Code, respectively.

(31) Section 2267.005, Government Code, as added by Chapters 713 (H.B. 3436) and 1339 (S.B. 894), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 2267.007, Government Code.

(32) Chapter 169A, Health and Safety Code, is transferred to Subtitle K, Title 2, Government Code, as added by Chapter 747 (S.B. 462), Acts of the 83rd Legislature, Regular Session, 2013, and redesignated as Chapter 126, Government Code, and Sections 169A.001, 169A.002, 169A.0025, 169A.003, 169A.004,

169A.005, 169A.0055, and 169A.006, Health and Safety Code, are redesignated as Sections 126.001, 126.002, 126.003, 126.004, 126.005, 126.006, 126.007, and 126.008, Government Code, respectively.

(33) Subchapter H, Chapter 241, Health and Safety Code, as added by Chapter 917 (H.B. 1376), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter I, Chapter 241, Health and Safety Code, and Sections 241.181, 241.182, 241.183, and 241.184, Health and Safety Code, as added by that Act, are redesignated as Sections 241.201, 241.202, 241.203, and 241.204, Health and Safety Code, respectively.

(34) Subsection (g), Section 573.001, Health and Safety Code, as added by Chapter 776 (S.B. 1189), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (h), Section 573.001, Health and Safety Code.

(35) Section 1001.078, Health and Safety Code, as added by Chapters 1147 (S.B. 126) and 1143 (S.B. 58), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 1001.084, Health and Safety Code.

(36) Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 352 (H.B. 2392), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter I, Chapter 1001, Health and Safety Code, and Sections 1001.201, 1001.202, 1001.203, and 1001.204, Health and Safety Code, as added by that Act, are redesignated as Sections 1001.221, 1001.222, 1001.223, and

1001.224, Health and Safety Code, respectively.

(37) Section 152.0016, Human Resources Code, as added by Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 152.0017, Human Resources Code.

(38) Subsection (f), Section 1355.015, Insurance Code, as added by Chapter 1359 (S.B. 1484), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (g), Section 1355.015, Insurance Code.

(39) Subchapter F, Chapter 1369, Insurance Code, as added by Chapter 1328 (S.B. 644), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter G, Chapter 1369, Insurance Code, and Sections 1369.251, 1369.252, 1369.253, 1369.254, 1369.255, and 1369.256, Insurance Code, as added by that Act, are redesignated as Sections 1369.301, 1369.302, 1369.303, 1369.304, 1369.305, and 1369.306, Insurance Code, respectively.

(40) Subsection (a-1), Section 204.022, Labor Code, as added by Chapter 888 (H.B. 916), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (a-2), Section 204.022, Labor Code.

(41) Section 379C.014, Local Government Code, as added by Chapter 1085 (H.B. 3447), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 379C.015, Local Government Code.

(42) Chapter 385, Local Government Code, as added by

Chapter 1204 (H.B. 3647), Acts of the 77th Legislature, Regular Session, 2001, is transferred to Subtitle C, Title 4, Special District Local Laws Code, and redesignated as Chapter 3875, Special District Local Laws Code, and Sections 385.001, 385.002, 385.003, 385.004, 385.005, 385.006, 385.031, 385.032, 385.033, 385.034, 385.035, 385.036, 385.037, 385.038, 385.039, 385.040, 385.071, 385.072, 385.073, 385.074, 385.075, 385.076, 385.077, 385.078, 385.079, 385.080, 385.111, 385.112, 385.113, 385.114, 385.115, 385.131, 385.132, and 385.133, Local Government Code, as added by that Act, are redesignated as Sections 3875.001, 3875.002, 3875.003, 3875.004, 3875.005, 3875.006, 3875.031, 3875.032, 3875.033, 3875.034, 3875.035, 3875.036, 3875.037, 3875.038, 3875.039, 3875.040, 3875.071, 3875.072, 3875.073, 3875.074, 3875.075, 3875.076, 3875.077, 3875.078, 3875.079, 3875.080, 3875.111, 3875.112, 3875.113, 3875.114, 3875.115, 3875.131, 3875.132, and 3875.133, Special District Local Laws Code, respectively.

(43) Section 501.163, Local Government Code, as added by Chapter 1295 (H.B. 2473), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 501.164, Local Government Code.

(44) Section 55.005, Occupations Code, as added by Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 55.008, Occupations Code.

(45) Section 11.132, Tax Code, as added by Chapter 138

(S.B. 163), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 11.133, Tax Code.

(46) Subsection (b), Section 33.04, Tax Code, as added by Chapter 935 (H.B. 1597), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (b-1), Section 33.04, Tax Code.

(47) Sections 171.651 and 171.652, Tax Code, as added by Chapter 1109 (H.B. 469), Acts of the 81st Legislature, Regular Session, 2009, and transferred, redesignated, and amended by Chapter 1003 (H.B. 2446), Acts of the 83rd Legislature, Regular Session, 2013, are redesignated as Sections 171.601 and 171.602, Tax Code, respectively.

(48) Section 313.010, Tax Code, as added by Chapter 1274 (H.B. 1223), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 313.009, Tax Code.

(49) Section 225.091, Transportation Code, as added by Chapter 14 (S.B. 139), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.093, Transportation Code.

(50) Section 225.091, Transportation Code, as added by Chapter 725 (H.B. 3946), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.094, Transportation Code.

(51) Section 225.091, Transportation Code, as added by Chapter 177 (H.B. 1238), Acts of the 83rd Legislature, Regular

Session, 2013, is redesignated as Section 225.096, Transportation Code.

(52) Section 225.091, Transportation Code, as added by Chapter 281 (H.B. 938), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.097, Transportation Code.

(53) Section 225.091, Transportation Code, as added by Chapter 248 (H.B. 442), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.098, Transportation Code.

(54) Section 225.091, Transportation Code, as added by Chapter 233 (H.B. 250), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.099, Transportation Code.

(55) Section 225.092, Transportation Code, as added by Chapter 1110 (H.B. 3831), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.100, Transportation Code.

(56) Section 225.092, Transportation Code, as added by Chapter 999 (H.B. 2356), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 225.101, Transportation Code.

(57) Section 504.663, Transportation Code, as added by Chapter 1102 (H.B. 3677), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 504.664, Transportation

Code.

(58) Section 504.946, Transportation Code, as added by Chapter 809 (S.B. 1757), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 504.9465, Transportation Code.

(59) Section 521.008, Transportation Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 521.009, Transportation Code.

(60) Section 521.008, Transportation Code, as added by Chapter 868 (H.B. 633), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 521.010, Transportation Code.

(61) Subsection (l), Section 521.126, Transportation Code, as added by Chapter 67 (S.B. 166), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (m), Section 521.126, Transportation Code.

(62) Subchapter Q, Chapter 623, Transportation Code, as added by Chapter 635 (H.B. 474), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subchapter S, Chapter 623, Transportation Code, and Sections 623.320, 623.321, 623.322, 623.323, 623.324, 623.325, 623.326, 623.327, and 623.328, Transportation Code, as added by that Act, are redesignated as Sections 623.361, 623.362, 623.363, 623.364, 623.365, 623.366, 623.367, 623.368, and 623.369, Transportation Code, respectively.

(63) Subsection (m), Section 49.351, Water Code, as added by Chapter 991 (H.B. 2152), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Subsection (n), Section 49.351, Water Code.

SECTION 21.002. The following changes are made to conform the provisions amended to the redesignating changes made by Section 21.001 of this Act and to correct cross-references:

(1) Subdivision (5), Section 140A.001, Civil Practice and Remedies Code, as redesignated from Subdivision (5), Section 140.001, Civil Practice and Remedies Code, by Section 21.001 of this Act, is amended to read as follows:

(5) "Racketeering" means an act described by Section 140A.002 [~~140.002~~].

(2) Subsection (a), Section 140A.010, Civil Practice and Remedies Code, as redesignated from Subsection (a), Section 140.010, Civil Practice and Remedies Code, by Section 21.001 of this Act, is amended to read as follows:

(a) A district attorney, criminal district attorney, or county attorney with felony criminal jurisdiction that receives notice under Section 140A.009 [~~140.009~~] may notify the attorney general of a related pending criminal investigation or prosecution.

(3) Section 140A.011, Civil Practice and Remedies Code, as redesignated from Section 140.011, Civil Practice and Remedies Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 140A.011 [~~140.011~~]. ABATEMENT OF SUIT. If the district

attorney, criminal district attorney, or county attorney with felony criminal jurisdiction determines that a suit brought under this chapter would interfere with an ongoing criminal investigation or prosecution after notifying the attorney general of the investigation or prosecution under Section 140A.010 [~~140.010~~], the district attorney, criminal district attorney, or county attorney with felony criminal jurisdiction may request, in writing, that the attorney general abate the suit. On receipt of this request, the attorney general shall abate the suit.

(4) Subsection (b), Section 61.5391, Education Code, is amended to read as follows:

(b) Money in the account may not be appropriated for any purpose except:

(1) to provide loan repayment assistance to eligible physicians under this subchapter; or

(2) to provide loan repayment assistance under Subchapter JJ [~~HH~~] if reallocated under Section 61.9826.

(5) Subsection (b), Section 54.0326, Family Code, is amended to read as follows:

(b) A juvenile court may defer adjudication proceedings under Section 54.03 until the child's 18th birthday and require a child to participate in a program established under Section 152.0017 [~~152.0016~~], Human Resources Code, if the child:

(1) is alleged to have engaged in delinquent conduct or conduct indicating a need for supervision and may be a victim of

conduct that constitutes an offense under Section 20A.02, Penal Code; and

(2) presents to the court an oral or written request to participate in the program.

(6) Subsection (b), Section 54.04012, Family Code, as redesignated from Subsection (b), Section 54.04011, Family Code, by Section 21.001 of this Act, is amended to read as follows:

(b) A juvenile court may require a child adjudicated to have engaged in delinquent conduct or conduct indicating a need for supervision and who is believed to be a victim of conduct that constitutes an offense under Section 20A.02, Penal Code, to participate in a program established under Section 152.0017 [~~152.0016~~], Human Resources Code.

(7) Subsection (c-7), Section 58.003, Family Code, is amended to read as follows:

(c-7) Notwithstanding Subsections (a) and (c) and subject to Subsection (b), a juvenile court may order the sealing of records concerning a child found to have engaged in delinquent conduct or conduct indicating a need for supervision or taken into custody to determine whether the child engaged in delinquent conduct or conduct indicating a need for supervision if the child successfully completed a trafficked persons program under Section 152.0017 [~~152.0016~~], Human Resources Code. The court may:

(1) order the sealing of the records immediately and without a hearing; or

(2) hold a hearing to determine whether to seal the records.

(8) Subsection (c), Section 126.005, Government Code, as redesignated from Subsection (c), Section 169A.004, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

(c) A legislative committee may require a county that does not establish a prostitution prevention program under this chapter due to a lack of sufficient funding, as provided by Section 126.007(c) [~~169A.0055(c)~~], to provide the committee with any documentation in the county's possession that concerns federal or state funding received by the county.

(9) Subsection (d-1), Section 403.302, Government Code, is amended to read as follows:

(d-1) For purposes of Subsection (d), a residence homestead that receives an exemption under Section 11.131 or 11.133 [~~11.132~~], Tax Code, in the year that is the subject of the study is not considered to be taxable property.

(10) Subsections (b) and (c), Section 411.1408, Government Code, are amended to read as follows:

(b) The commission is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is an applicant for or the holder of a certificate, registration, or license issued by the commission or otherwise under Subtitle L [~~K~~], Title 2.

(c) Criminal history record information obtained by the commission under Subsection (b):

(1) may be used by the commission for any purpose related to the issuance, denial, suspension, revocation, or renewal of a certificate, registration, or license issued by the commission or otherwise under Subtitle L [~~K~~], Title 2;

(2) may not be released or disclosed to any person except:

(A) on court order;

(B) with the consent of the person who is the subject of the information; or

(C) as authorized by Section 411.1386(a-6) of this code or Section 1104.404, Estates [~~698(a-6), Texas Probate~~] Code, if applicable; and

(3) shall be destroyed by the commission after the information is used for the authorized purposes.

(11) Subsection (a), Section 434.017, Government Code, is amended to read as follows:

(a) The fund for veterans' assistance is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) gifts and grants contributed to the fund;

(3) the earnings of the fund;

(4) money transferred to the fund from proceeds of the lottery game operated under Section 466.027 or transferred to the fund under Section 466.408(b);

(5) money deposited to the credit of the fund under Section 502.1746, Transportation Code; and

(6) money deposited to the credit of the fund under Section 521.010 [~~521.008~~], Transportation Code.

(12) Section 241.202, Health and Safety Code, as redesignated from Section 241.182, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 241.202 [~~241.182~~]. ADVERTISING. A facility described by Section 241.201 [~~241.181~~] may not advertise or hold itself out as a medical office, facility, or provider other than an emergency room if the facility charges for its services the usual and customary rate charged for the same service by a hospital emergency room in the same region of the state or located in a region of the state with comparable rates for emergency health care services.

(13) Section 241.203, Health and Safety Code, as redesignated from Section 241.183, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 241.203 [~~241.183~~]. POSTED NOTICE. Subject to Section 241.006, the department shall adopt rules for a notice to be posted in a conspicuous place in the facility described by Section 241.201 [~~241.181~~] that notifies prospective patients that the facility is an emergency room and charges rates comparable to a hospital

emergency room.

(14) Section 1369.303, Insurance Code, as redesignated from Section 1369.253, Insurance Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 1369.303 [~~1369.253~~]. EXCEPTION. This subchapter does not apply to:

(1) a health benefit plan that provides coverage:

(A) only for a specified disease or for another single benefit;

(B) only for accidental death or dismemberment;

(C) for wages or payments in lieu of wages for a period during which an employee is absent from work because of sickness or injury;

(D) as a supplement to a liability insurance policy;

(E) for credit insurance;

(F) only for dental or vision care;

(G) only for hospital expenses; or

(H) only for indemnity for hospital confinement;

(2) a Medicare supplemental policy as defined by Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

(3) medical payment insurance coverage provided under a motor vehicle insurance policy;

(4) a long-term care insurance policy, including a nursing home fixed indemnity policy, unless the commissioner

determines that the policy provides benefit coverage so comprehensive that the policy is a health benefit plan as described by Section 1369.302 [~~1369.252~~];

(5) health and accident coverage provided by a risk pool created under Chapter 172, Local Government Code; or

(6) a workers' compensation insurance policy.

(15) Subsection (c), Section 1369.304, Insurance Code, as redesignated from Subsection (c), Section 1369.254, Insurance Code, by Section 21.001 of this Act, is amended to read as follows:

(c) In prescribing a form under this section, the commissioner shall:

(1) develop the form with input from the advisory committee on uniform prior authorization forms established under Section 1369.305 [~~1369.255~~]; and

(2) take into consideration:

(A) any form for requesting prior authorization of benefits that is widely used in this state or any form currently used by the department;

(B) request forms for prior authorization of benefits established by the federal Centers for Medicare and Medicaid Services; and

(C) national standards, or draft standards, pertaining to electronic prior authorization of benefits.

(16) Subsections (a) and (c), Section 1369.305, Insurance Code, as redesignated from Subsections (a) and (c),

Section 1369.255, Insurance Code, by Section 21.001 of this Act, are amended to read as follows:

(a) The commissioner shall appoint a committee to advise the commissioner on the technical, operational, and practical aspects of developing the single, standard prior authorization form required under Section 1369.304 [~~1369.254~~] for requesting prior authorization of prescription drug benefits.

(c) The commissioner shall consult the advisory committee with respect to any rule relating to a subject described by Section 1369.304 [~~1369.254~~] or this section before adopting the rule and may consult the committee as needed with respect to a subsequent amendment of an adopted rule.

(17) Subsections (a) and (b), Section 120.003, Natural Resources Code, are amended to read as follows:

(a) An entity that applies to the commission under Section 120.002 for a certification that a project operated by the entity meets the requirements for a clean energy project is responsible for conducting a monitoring, measuring, and verification process that demonstrates that the project complies with the requirements of Section 171.602(b)(4) [~~171.652(b)(4)~~], Tax Code.

(b) The entity shall contract with the bureau for the bureau to:

(1) design initial protocols and standards for the process described by Subsection (a);

(2) review the conduct of the process described by

Subsection (a) in order to make any necessary changes in the design of the protocols and standards;

(3) evaluate the results of the process described by Subsection (a);

(4) provide an evaluation of the results of the process described by Subsection (a) to the commission; and

(5) determine whether to transmit to the comptroller the verification described by Section 171.602(b)(4), Tax [~~490.352(b)(4)~~, ~~Government~~] Code.

(18) Subsection (a), Section 3875.031, Special District Local Laws Code, as redesignated from Subsection (a), Section 385.031, Local Government Code, by Section 21.001 of this Act, is amended to read as follows:

(a) The district has all of the powers and duties provided by the general law of this state, including:

(1) Subchapter E, Chapter 375, Local Government Code;

(2) the general laws of this state on conservation and reclamation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 54, Water Code; and

(3) the general laws of this state on road districts and road utility districts created under Section 52(b)(3), Article III, Texas Constitution, including Chapter 441, Transportation Code.

(19) Section 3875.033, Special District Local Laws Code, as redesignated from Section 385.033, Local Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 3875.033 [~~385.033~~]. POWERS RELATED GENERALLY TO FINANCIAL AND TERRITORIAL MATTERS. The district may:

(1) impose, assess, and apply the proceeds from a limited sales and use tax as authorized by Section 3875.111 [~~385.111~~] for authorized purposes;

(2) borrow money for district purposes;

(3) add or exclude territory in the manner provided by Subchapter J, Chapter 49, Water Code, as limited by Section 54.016, Water Code, except that:

(A) for purposes of this subdivision, a reference in Subchapter J, Chapter 49, Water Code, or Section 54.016, Water Code, to a tax means an ad valorem tax; and

(B) Section 54.016, Water Code, and Section 42.042, Local Government Code, do not apply to the district's annexation of land restricted primarily to commercial or business use;

(4) enter into a contract with any person for the accomplishment of any district purpose, including a contract for:

(A) the payment, repayment, or reimbursement of any costs incurred by that person for or on behalf of the district, including all or part of the costs of any improvement project and interest on the reimbursed cost; or

(B) the use, occupancy, lease, rental, operation, maintenance, or management of all or part of a proposed or existing improvement project;

(5) apply for and contract with any person to receive,

administer, and perform any duty or obligation of the district under any federal, state, local, or private gift, grant, loan, conveyance, transfer, bequest, donation, or other financial assistance arrangement relating to the investigation, planning, analysis, study, design, acquisition, construction, improvement, completion, implementation, or operation by the district or others of a proposed or existing improvement project;

(6) establish, revise, repeal, enforce, collect, and apply the proceeds from user fees or charges for the enjoyment, sale, rental, or other use of the district's facilities, services, properties, or improvement projects;

(7) provide or secure the payment or repayment of the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs of any improvement project or district contractual obligation or indebtedness by or through a lease, installment purchase contract, or other agreement with any person, or the levy and assessment of taxes, user fees, concessions, rentals, or other revenues or resources of the district;

(8) undertake separately or jointly with other persons all or part of the cost of an improvement project, including an improvement project:

(A) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement within and adjacent to the district;

or

(B) that confers a general benefit on the entire district or a special benefit on a definable part of the district; and

(9) impose, collect, and apply the proceeds from a hotel occupancy tax as provided by Sections 3875.112 [~~385.112~~] and 3875.113 [~~385.113~~].

(20) Section 3875.036, Special District Local Laws Code, as redesignated from Section 385.036, Local Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 3875.036 [~~385.036~~]. ECONOMIC DEVELOPMENT. The district may exercise the economic development powers and authority that Chapter 380, Local Government Code, provides to a municipality with a population of more than 100,000, and Chapter 1509, Government Code, provides to a municipality.

(21) Section 3875.071, Special District Local Laws Code, as redesignated from Section 385.071, Local Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 3875.071 [~~385.071~~]. BOARD OF DIRECTORS. Except as provided by this subchapter, the district is governed by a board of five directors elected by the voters of the district at large. Except as provided by Sections 3875.073(b) [~~385.073(b)~~] and 3875.074 [~~385.074~~], directors serve staggered terms of four years and until their successors have been elected and have qualified.

(22) Subsection (c), Section 3875.112, Special District

Local Laws Code, as redesignated from Subsection (c), Section 385.112, Local Government Code, by Section 21.001 of this Act, is amended to read as follows:

(c) Subchapter A, Chapter 352, Tax Code, governs a hotel occupancy tax authorized under this section, including the collection of the tax, except as inconsistent with this section and Section 3875.113 [~~385.113~~], subject to the limitations prescribed by Sections 352.002(b) and (c), Tax Code.

(23) Subsections (a) and (b), Section 3875.113, Special District Local Laws Code, as redesignated from Subsections (a) and (b), Section 385.113, Local Government Code, by Section 21.001 of this Act, are amended to read as follows:

(a) The district shall apply the proceeds from a hotel occupancy tax imposed under Section 3875.112 [~~385.112~~] for any of the district's purposes and for the purposes described by Section 352.1015, Tax Code, to the extent considered appropriate by the board.

(b) During each interval of three calendar years following the date on which a hotel occupancy tax imposed under Section 3875.112 [~~385.112~~] is initially collected, the board may not apply an annual average of more than 10 percent of the amount of tax collected under that section, excluding any interest earnings or investment profits and after a deduction for the costs of imposing and collecting the taxes, for the administrative expenses of the district or a district purpose other than:

(1) the costs of advertising and promoting tourism; or

(2) the costs of business development and commerce, including the costs of planning, designing, constructing, acquiring, leasing, financing, owning, operating, maintaining, managing, improving, repairing, rehabilitating, or reconstructing improvement projects for conferences, conventions, and exhibitions, manufacturer, consumer, or trade shows, and civic, community, or institutional events.

(24) Subsections (a) and (c), Section 3875.114, Special District Local Laws Code, as redesignated from Subsections (a) and (c), Section 385.114, Local Government Code, by Section 21.001 of this Act, are amended to read as follows:

(a) The district may issue bonds in the manner provided by Subchapter J, Chapter 375, Local Government Code. Sections 375.207 and 375.208, Local Government Code, do not apply to bonds issued under this section.

(c) In addition to the sources of money described by Subchapter J, Chapter 375, Local Government Code, the bonds of the district may be secured and made payable, wholly or partly, by a pledge of any part of the net proceeds the district receives from the sales and use tax authorized by Section 3875.111 [~~385.111~~] and the hotel occupancy tax authorized by Section 3875.112 [~~385.112~~].

(25) Subsection (c), Section 11.42, Tax Code, is amended to read as follows:

(c) An exemption authorized by Section 11.13(c) or (d), [~~or~~]

11.132, or 11.133 is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year.

(26) Subsection (c), Section 11.43, Tax Code, is amended to read as follows:

(c) An exemption provided by Section 11.13, 11.131, 11.132, 11.133, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19, 11.20, 11.21, 11.22, 11.23(h), (j), or (j-1), 11.231, 11.254, 11.271, 11.29, 11.30, 11.31, or 11.315, once allowed, need not be claimed in subsequent years, and except as otherwise provided by Subsection (e), the exemption applies to the property until it changes ownership or the person's qualification for the exemption changes.

However, the chief appraiser may require a person allowed one of the exemptions in a prior year to file a new application to confirm the person's current qualification for the exemption by delivering a written notice that a new application is required, accompanied by an appropriate application form, to the person previously allowed the exemption.

(27) Subsection (a), Section 11.431, Tax Code, is amended to read as follows:

(a) The chief appraiser shall accept and approve or deny an application for a residence homestead exemption, including an exemption under Section 11.131 or 11.132 for the residence homestead of a disabled veteran or the surviving spouse of a disabled veteran or an exemption under Section 11.133 [~~11.132~~] for

the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed in action, after the deadline for filing it has passed if it is filed not later than one year after the delinquency date for the taxes on the homestead.

(28) Subsection (b), Section 26.10, Tax Code, is amended to read as follows:

(b) If the appraisal roll shows that a residence homestead exemption under Section 11.13(c) or (d), ~~[or]~~ 11.132, or 11.133 applicable to a property on January 1 of a year terminated during the year and if the owner of the property qualifies a different property for one of those residence homestead exemptions during the same year, the tax due against the former residence homestead is calculated by:

(1) subtracting:

(A) the amount of the taxes that otherwise would be imposed on the former residence homestead for the entire year had the owner qualified for the residence homestead exemption for the entire year; from

(B) the amount of the taxes that otherwise would be imposed on the former residence homestead for the entire year had the owner not qualified for the residence homestead exemption during the year;

(2) multiplying the remainder determined under Subdivision (1) by a fraction, the denominator of which is 365 and the numerator of which is the number of days that elapsed after the

date the exemption terminated; and

(3) adding the product determined under Subdivision (2) and the amount described by Subdivision (1)(A).

(29) Section 26.112, Tax Code, is amended to read as follows:

Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if at any time during a tax year property is owned by an individual who qualifies for an exemption under Section 11.13(c) or (d) or 11.133 [~~11.132~~], the amount of the tax due on the property for the tax year is calculated as if the individual qualified for the exemption on January 1 and continued to qualify for the exemption for the remainder of the tax year.

(b) If an individual qualifies for an exemption under Section 11.13(c) or (d) or 11.133 [~~11.132~~] with respect to the property after the amount of the tax due on the property is calculated and the effect of the qualification is to reduce the amount of the tax due on the property, the assessor for each taxing unit shall recalculate the amount of the tax due on the property and correct the tax roll. If the tax bill has been mailed and the tax on the property has not been paid, the assessor shall mail a corrected tax bill to the person in whose name the property is listed on the tax roll or to the person's authorized agent. If the tax on the property has been paid, the tax collector for the taxing unit shall refund to the person who paid the tax the amount by which the

payment exceeded the tax due.

(30) Subsection (b), Section 251.151, Transportation Code, is amended to read as follows:

(b) The commissioners court of a county may by order apply the county's traffic regulations to a public road in the county that is owned, operated, and maintained by a special district and located wholly or partly in the county if the commissioners court and the board of the district have entered into an interlocal contract under Section 791.036 [~~791.035~~], Government Code.

(31) Section 521.428, Transportation Code, is amended to read as follows:

Sec. 521.428. COUNTY FEE. A county that provides services under an agreement described by Section 521.009 [~~521.008~~] may collect an additional fee of up to \$5 for each transaction provided that relates to driver's license and personal identification certificate services only.

(32) Section 623.362, Transportation Code, as redesignated from Section 623.321, Transportation Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 623.362 [~~623.321~~]. DEFINITION. In this subchapter, "authority" means the regional mobility authority authorized to issue permits under Section 623.363 [~~623.322~~].

(33) Subsection (b), Section 623.364, Transportation Code, as redesignated from Subsection (b), Section 623.323, Transportation Code, by Section 21.001 of this Act, is amended to

read as follows:

(b) Fees collected under Subsection (a) shall be used only for the construction and maintenance of the roads described by or designated under Section 623.363 [~~623.322~~] and for the authority's administrative costs, which may not exceed 15 percent of the fees collected. The authority shall make payments to the Texas Department of Transportation to provide funds for the maintenance of roads and highways subject to this subchapter.

(34) Subsection (a), Section 623.365, Transportation Code, as redesignated from Subsection (a), Section 623.324, Transportation Code, by Section 21.001 of this Act, is amended to read as follows:

(a) A permit issued under this subchapter must include:

- (1) the name of the applicant;
- (2) the date of issuance;
- (3) the signature of the designated agent for the authority;
- (4) a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported;
- (5) a statement:
 - (A) that the gross weight of the vehicle for which a permit is issued may not exceed 125,000 pounds; and
 - (B) of any other condition on which the permit is issued;

(6) a statement that the cargo may be transported in Hidalgo County only over the roads described by or designated under Section 623.363 [~~623.322~~]; and

(7) the location where the cargo was loaded.

ARTICLE 22. EFFECTIVE DATE

SECTION 22.001. Except as otherwise provided by this Act, this Act takes effect September 1, 2015.