

(1) the maintenance of the volunteer fire department self-insurance fund established under Article 21.61, Insurance Code, in a depository as otherwise allowed by law for funds subject to the control of The Texas A&M University System or the Texas Forest Service; and

(2) any act of The Texas A&M University System or the Texas Forest Service relating to maintaining those funds in a depository described by Subdivision (1) of this section.

SECTION 3. This Act takes effect immediately if it 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 Act takes effect September 1, 2005.

Passed by the House on April 14, 2005: Yeas 140, Nays 0, 2 present, not voting; passed by the Senate on May 12, 2005: Yeas 31, Nays 0.

Approved May 27, 2005.

Effective May 27, 2005.

CHAPTER 218

H.B. No. 2202

AN ACT

relating to prohibited conflicts of interest of registered lobbyists.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 305.028, Government Code, is amended by amending Subsection (b) and adding Subsections (c-1) and (k) to read as follows:

(b) Except as permitted by Subsection (c) or (c-1), a registrant may not represent a client in communicating directly with a member of the legislative or executive branch to influence legislative subject matter or administrative action if the representation of that client:

(1) involves a substantially related matter in which that client's interests are materially and directly adverse to the interests of:

- (A) another client of the registrant;
- (B) an employer or concern employing the registrant; or
- (C) another client of a person associated with the registrant; or

(2) reasonably appears to be adversely limited by:

- (A) the registrant's, the employer's or concern's, or the other associated person's responsibilities to another client; or
- (B) the registrant's, employer's or concern's own interest, or other associated person's own business interests.

(c-1) *A registrant may represent a client in the circumstances described in Subsection (b) without regard to whether the registrant reasonably believes the representation of each client will be materially affected if:*

(1) *the registrant provides the written notice to each affected client as described by Subsection (c)(2) and files the statement described by Subsection (c)(3); and*

(2) *after the registrant has provided the written notice described by Subsection (c)(2), each affected client of the registrant consents to the conflict and grants the registrant permission to continue the representation.*

(k) *The commission may adopt rules to implement this section consistent with this chapter, the Texas Disciplinary Rules of Professional Conduct, and the common law of agency.*

SECTION 2. Section 305.031(a), Government Code, is amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than Section [305.0011, 305.012,] 305.022[, or 305.028. An offense under this subsection is a Class A misdemeanor.

SECTION 3. Sections 305.0011 and 305.028(i), Government Code, are repealed.

SECTION 4. This Act takes effect September 1, 2005.

Passed by the House on April 29, 2005, by a non-record vote; passed by the Senate on May 16, 2005: Yeas 30, Nays 0.

Approved May 27, 2005.

Effective September 1, 2005.

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## CHAPTER 219

H.B. No. 2208

### AN ACT

relating to the creation of a cultural and fine arts district program by the Texas Commission on the Arts.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter B, Chapter 444, Government Code, is amended by adding Section 444.031 to read as follows:

*Sec. 444.031. CULTURAL AND FINE ARTS DISTRICT PROGRAM. (a) The commission shall develop a cultural and fine arts district program to designate districts that significantly contribute to the culture and fine arts of this state.*

*(b) The commission shall develop:*

- (1) eligibility criteria for a designation under this section; and*
- (2) procedures to administer the program created under this section.*

SECTION 2. This Act takes effect September 1, 2005.

Passed by the House on April 26, 2005, by a non-record vote; passed by the Senate on May 12, 2005: Yeas 31, Nays 0.

Approved May 27, 2005.

Effective September 1, 2005.

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## CHAPTER 220

H.B. No. 2256

### AN ACT

relating to the terms of court of the 112th Judicial District.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 24.214(b), Government Code, is amended to read as follows:

(b) The terms of the 112th District Court begin:

- (1) in Crockett County on the first Monday in April and the third Monday in September;
  - (2) in Pecos County on the first Mondays in [~~January,~~] May[, and] and November [~~and the second Monday in July~~];
  - (3) in Reagan County on the first Mondays in March and October;
  - (4) in Sutton County on the third Monday in March and the first Monday in September;
- and