(D) [45] is provided or permitted to be provided by a person who knows or reasonably should know that the injured person or relative of the injured person has indicated a desire not to be contacted by or receive communications or solicitations concerning employment;

(E) [4F] involves coercion, duress, fraud, overreaching, harassment, intimidation, or undue influence; or

(F) [4G] contains a false, fraudulent, misleading, deceptive, or unfair statement or claim.

(e) For purposes of Subsection (d)(2)(D) [44X2][4E], a desire not to be contacted is presumed if an accident report reflects that such an indication has been made by an injured person or that person's relative.

SECTION 4. (a) Section 82.065(b), Government Code, as amended by this Act, applies only to a contract procured as a result of conduct described by that subsection, as amended by this Act, occurring on or after the effective date of this Act. A contract procured as a result of conduct occurring before the effective date of this Act is governed by the law applicable to the contract immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) Except as provided by this section, Section 82.0651, Government Code, as amended by this Act, applies only to an action concerning a contract procured as a result of conduct described by Section 82.0651(a), Government Code, as amended by this Act, that occurs on or after the effective date of this Act. An action concerning a contract procured as a result of conduct that occurred before the effective date of this Act is governed by the law applicable to the contract immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(c) Section 82.0651(g), Government Code, as added by this Act, applies to an action:

(1) commenced on or after the effective date of this Act; or

(2) pending on the effective date of this Act and in which the trial, or any new trial or retrial following motion, appeal, or otherwise, begins on or after the effective date of this Act.

SECTION 5. This Act takes effect September 1, 2013.

Passed by the House on April 11, 2013: Yeas 140, Nays 4, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1711 on May 16, 2013: Yeas 141, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 316

H.B. No. 1717

AN ACT

relating to the continuation and functions of the Texas Board of Architectural Examiners; changing certain fees.

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

SECTION 1. Section 1051.003, Occupations Code, is amended to read as follows:

Sec. 1051.003. APPLICATION OF SUNSET ACT. The Texas Board of Architectural Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this subtitle expires September 1, 2023 [2033].

SECTION 2. Subchapter F, Chapter 1051, Occupations Code, is amended by adding Section 1051.3041 to read as follows:

1075
Sec. 1051.3041. CRIMINAL HISTORY RECORD INFORMATION REQUIREMENT FOR REGISTRATION. (a) The board shall require that an applicant for a certificate of registration submit a complete and legible set of fingerprints, on a form prescribed by the board, to the board or to the Department of Public Safety for the purpose of obtaining criminal history record information from the Department of Public Safety and the Federal Bureau of Investigation.

(b) The board may not issue a certificate of registration to a person who does not comply with the requirement of Subsection (a).

(c) The board shall conduct a criminal history check of each applicant for a certificate of registration using information:

(1) provided by the individual under this section; and

(2) made available to the board by the Department of Public Safety, the Federal Bureau of Investigation, and any other criminal justice agency under Chapter 411, Government Code.

(d) The board may:

(1) enter into an agreement with the Department of Public Safety to administer a criminal history check required under this section; and

(2) authorize the Department of Public Safety to collect from each applicant the costs incurred by the Department of Public Safety in conducting the criminal history check.

SECTION 3. Section 1051.351, Occupations Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (a), a person who holds a certificate of registration issued under Chapter 1053 without examination may not renew the certificate on or after September 1, 2017, unless, before September 1, 2017, the person has passed the registration examination adopted by the board under Section 1053.154 and in effect on January 1, 2014. This subsection expires January 1, 2019.

SECTION 4. Sections 1051.353(b), (c), and (e), Occupations Code, are amended to read as follows:

(b) A person whose certificate of registration has been expired for 90 days or less may renew the certificate by paying to the board a renewal fee that is equal to 1-1/2 times the [normal] required renewal fee set by the board under Section 1051.651(b).

(c) A person whose certificate of registration has been expired for more than 90 days but less than two years may renew the certificate by paying to the board a renewal fee equal to two times the [normal] required renewal fee set by the board under Section 1051.651(b).

(e) A person who was registered in this state, moved to another state, and is currently licensed or registered and has been in practice in the other state for the two years preceding the date of the application may obtain a new certificate of registration without reexamination. The person must pay to the board a fee that is equal to two times the [normal] required renewal fee set by the board under Section 1051.651(b) for the certificate of registration.

SECTION 5. Subchapter G, Chapter 1051, Occupations Code, is amended by adding Section 1051.3531 to read as follows:

Sec. 1051.3531. CRIMINAL HISTORY RECORD INFORMATION REQUIREMENT FOR RENEWAL. (a) An applicant renewing a certificate of registration shall submit a complete and legible set of fingerprints for purposes of performing a criminal history check of the applicant as provided by Section 1051.3041.

(b) The board may not renew the certificate of registration of a person who does not comply with the requirement of Subsection (a).

(c) A holder of a certificate of registration is not required to submit fingerprints under this section for the renewal of the certificate of registration if the holder has previously submitted fingerprints under:

(1) Section 1051.3041 for the initial issuance of the certificate of registration; or

(2) this section as part of a prior renewal of a certificate of registration.

SECTION 6. Section 1051.452(a), Occupations Code, is amended to read as follows:
(a) The amount of an administrative penalty may not exceed $5,000 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.

SECTION 7. Section 1051.652(a), Occupations Code, is amended to read as follows:

(a) The fee for the issuance of a certificate of registration under this chapter [to an applicant possessing a license or certificate to practice architecture in another state] and the fee for the renewal of a certificate of registration under this chapter are increased by $200.

SECTION 8. Section 1053.158, Occupations Code, is repealed.

SECTION 9. (a) Not later than December 1, 2013, the Texas Board of Architectural Examiners shall adopt rules necessary to implement the changes in law made by this Act to Chapter 1051, Occupations Code.

(b) Sections 1051.3041 and 1051.3531, Occupations Code, as added by this Act, and Sections 1051.353 and 1051.652, Occupations Code, as amended by this Act, apply only to an application for a certificate of registration or renewal of a certificate of registration filed with the Texas Board of Architectural Examiners on or after January 1, 2014. An application filed before that date is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

(c) Section 1051.452(a), Occupations Code, as amended by this Act, applies only to a violation of Subtitle B, Title 6, Occupations Code, committed on or after the effective date of this Act. A violation committed before that date is governed by the law in effect at the time the violation was committed, and the former law is continued in effect for that purpose.

SECTION 10. This Act takes effect September 1, 2013.

Passed by the House on April 23, 2013: Yeas 112, Nays 34, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1717 on May 16, 2013: Yeas 112, Nays 25, 2 present, not voting; passed by the Senate, with amendments, on May 13, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 317

H.B. No. 1718

AN ACT

relating to the eligibility of certain terminally ill individuals to purchase a resident hunting license.

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

SECTION 1. Section 42.001(1), Parks and Wildlife Code, is amended to read as follows:

(1) “Resident” means:

(A) an individual who has resided continuously in this state for more than six months immediately before applying for a hunting license;

(B) a member of the United States armed forces on active duty;

(C) a dependent of a member of the United States armed forces on active duty;

(D) if approved by the director, a terminally ill individual who is participating in an event sponsored by a charitable nonprofit organization; or

(E) [(F)] a member of any other category of individuals that the commission by regulation designates as residents.

SECTION 2. This Act takes effect September 1, 2013.

Passed by the House on April 11, 2013: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.