CHAPTER 958

H.B. No. 1819

AN ACT

relating to liability for injuring a trespassing sheep or goat.

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

SECTION 1. Section 143.033, Agriculture Code, is amended to read as follows:

Sec. 143.033. INJURY TO TRESPASSING ANIMAL. If a person whose fence is insufficient under this subchapter maims, wounds, or kills a head of cattle or a horse, mule, jack, jennet, sheep, or goat, or procures the maiming, wounding, or killing of one of those animals, by any means, including a gun or a dog, the person is liable to the owner of the animal for damages. This section does not authorize a person to maim, wound, or kill any horse, mule, jack, jennet, sheep, goat, or head of cattle of another person.

SECTION 2. The change in law made by this Act to Section 143.033, Agriculture Code, applies only to a person who maims, wounds, kills, or procures the maiming, wounding, or killing of a sheep or goat on or after the effective date of this Act. A person who maims, wounds, kills, or procures the maiming, wounding, or killing of a sheep or goat before the effective date of this Act is governed by the law in effect on the date the maiming, wounding, killing; or procurement occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on April 26, 2013: Yeas 131, Nays 2, 1 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 959

H.B. No. 1843

AN ACT

relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.

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

SECTION 1. Sections 51.803(a-3) and (k), Education Code, are amended to read as follows:

(a-3) Notwithstanding Subsection (a-1), The University of Texas at Austin may not offer admission under that subsection for an academic year after the 2017-2018 academic year.

(k) A general academic teaching institution may not offer admission under Subsection (a-1) for an academic year after the 2017-2018 academic year if, on the date of the institution’s general deadline for applications for admission of first-time undergraduate students for that academic year:

(1) a final court order applicable to the institution prohibits the institution from considering an applicant’s race or ethnicity as a factor in the institution’s decisions relating to first-time undergraduate admissions; or
(2) the institution's governing board by rule, policy, or other manner has provided that an applicant's race or ethnicity may not be considered as a factor in the institution's decisions relating to first-time undergraduate admissions for that academic year, except that this subdivision does not apply to an institution that did not consider, on or before June 1, 2009, an applicant's race or ethnicity as a factor in its admissions of first-time resident undergraduate students for the 2009-2010 academic year.

SECTION 2. 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, 2013.

Passed by the House on May 10, 2013: Yeas 131, Nays 7, 2 present, not voting; passed by the Senate on May 21, 2013: Yeas 28, Nays 3.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 960
H.B. No. 1862

AN ACT relating to the criminal consequences of engaging in certain conduct with respect to a switchblade knife.

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

SECTION 1. Sections 46.05(a), (d), and (e), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly possesses, manufactures, transports, repairs, or sells:

(1) an explosive weapon;
(2) a machine gun;
(3) a short-barrel firearm;
(4) a firearm silencer;
(5) a switchblade knife;
(6) knuckles;
(7) armor-piercing ammunition;
(8) a chemical dispensing device;
(9) a zip gun; or
(10) a tire deflation device.

(d) It is an affirmative defense to prosecution under this section that the actor's conduct:

(1) was incidental to dealing with a switchblade knife, short-barrel firearm, or tire deflation device solely as an antique or curio;
(2) was incidental to dealing with armor-piercing ammunition solely for the purpose of making the ammunition available to an organization, agency, or institution listed in Subsection (b); or
(3) was incidental to dealing with a tire deflation device solely for the purpose of making the device available to an organization, agency, or institution listed in Subsection (b).

(e) An offense under Subsection (a)(1), (2), (3), (4), (6), (7), or (8) or (9) is a felony of the third degree. An offense under Subsection (a)(9) is a state jail felony. An offense under Subsection (a)(6) is a Class A misdemeanor.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former