(g) On receiving the notice described by Subsection (f), the commission shall require a utility in violation of a standard adopted under this section to comply within a reasonable time established by the commission. The commission may approve infrastructure improvements and make corresponding changes to the tariff or rate schedule of a utility that is a public utility as needed to permit compliance with this section.

(h) Notwithstanding any provision of Chapter 101, Civil Practice and Remedies Code, to the contrary, a utility is not liable for a hydrant’s or metal flush valve’s inability to provide adequate water supply in a fire emergency. This subsection does not waive a municipality’s immunity under Subchapter I, Chapter 271, Local Government Code, or any other law and does not create any liability on the part of a municipality under a joint enterprise theory of liability.

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

Passed by the House on April 26, 2013: Yeas 138, Nays 3, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1973 on May 17, 2013: Yeas 111, Nays 22, 2 present, not voting; passed by the Senate, with amendments, on May 14, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 333

H.B. No. 1996

AN ACT

relating to certain political party officials visiting a primary election polling place for administrative purposes.

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

SECTION 1. Subchapter E, Chapter 172, Election Code, is amended by adding Section 172.1113 to read as follows:

Sec. 172.1113. COUNTY CHAIR PERMITTED IN POLLING PLACE. (a) In this section, “voting period” means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later.

(b) The county chair of a political party conducting a primary election may be in a polling place during the voting period as necessary to perform administrative functions related to the conduct of the election.

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

Passed by the House on May 8, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 29, Nays 1.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 334

H.B. No. 2006

AN ACT

relating to eligibility for appointment as a central counting station manager.

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

SECTION 1. Section 127.002(b), Election Code, is amended to read as follows:
(b) To be eligible for appointment, a person must:
   (1) have knowledge and experience in the conduct of elections with the electronic voting system for which the counting station is established; and
   (2) be a registered voter of the political subdivision served by the authority establishing the counting station, except:
      (A) during the first year following the adoption of the voting system; or
      (B) if the person is an employee of the political subdivision that adopts or owns the voting system.

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 8, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 335

H.B. No. 2015

AN ACT
relating to the proper classification of workers performing services in connection with governmental contracts; providing a penalty.

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

SECTION 1. Chapter 214, Labor Code, is amended by adding Section 214.008 to read as follows:

Sec. 214.008. MISCLASSIFICATION OF CERTAIN WORKERS; PENALTY. (a) A person who contracts with a governmental entity to provide a service as defined by Section 2155.001, Government Code, shall properly classify, as an employee or independent contractor in accordance with Chapter 201, any individual the person directly retains and compensates for services performed in connection with the contract.

(b) In this subsection, “subcontractor” means a person directly retained and compensated by a person who contracts with a governmental entity to provide a service as defined by Section 2155.001, Government Code. A subcontractor shall properly classify, as an employee or independent contractor in accordance with Chapter 201, any individual the subcontractor directly retains and compensates for services performed in connection with the contract for which the subcontractor is retained.

(c) A person who fails to properly classify an individual as required by Subsection (a) or (b) shall pay to the commission a penalty equal to $200 for each individual that the person has not properly classified.

(d) The commission may not take action to collect a penalty under this section from a person after the third anniversary of the date on which the violation occurred.

SECTION 2. This Act takes effect January 1, 2014.

Passed by the House on May 4, 2013: Yeas 137, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 29, Nays 2.

Approved June 14, 2013.
Effective January 1, 2014.