Sec. 1001.153. APPLICABILITY OF OTHER LAW. Subchapter D, Chapter 316, Government Code, and Section 403.095, Government Code, do not apply to the fund created under Section 1001.151.

SECTION 72. Sections 502.1982, 520.008, 520.009, 520.0091, and 520.0092, Transportation Code, are repealed.

SECTION 73. (a) On September 1, 2013, $50 million of existing revenue from fees collected or received by the Texas Department of Motor Vehicles under Section 502.356, Transportation Code, and former Section 502.1705, Transportation Code, from November 1, 2009, to August 31, 2013, shall be transferred to and deposited in the fund established under Section 1001.151, Transportation Code, as added by this Act.

(b) To the extent that revenue required to be deposited to the credit of the Texas Department of Motor Vehicles fund under Subsection (a) of this section was, before September 1, 2013, being used as collateral or a source of payment for the repayment of any loans, bonds, credit agreements, public securities, or other obligations, that revenue remains subject to being used as collateral or a source of payment for those obligations. However, an obligation described by this subsection must first be paid from the state highway fund, and the Texas Department of Motor Vehicles fund is subject to the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

(c) A deputy appointed under Section 520.0091, Transportation Code, on or before August 31, 2013, may continue to perform the services authorized under Sections 520.008, 520.009, 520.0091, and 520.0092, Transportation Code, until the effective date of the rules adopted by the board of the Texas Department of Motor Vehicles regarding the types of deputies authorized to perform titling and registration duties under Section 520.0071, Transportation Code, as added by this Act.

SECTION 74. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2013.

(b) Sections 502.197(a) and (b) and 520.006, Transportation Code, as amended by this Act, take effect on the effective date of rules adopted by the board of the Texas Department of Motor Vehicles regarding the registration processing and handling fee under Section 502.1911, Transportation Code, as added by this Act.

Passed by the House on May 4, 2013: Yeas 136, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 30, Nays 1.

Approved June 14, 2013.

Effective September 1, 2013, except as provided in § 74(b).

CHAPTER 1288

H.B. No. 2256

AN ACT

relating to the view of the State Capitol.

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

SECTION 1. Subchapter A, Chapter 3151, Government Code, is amended by adding Section 3151.0021 to read as follows:

Sec. 3151.0021. DEFINITION OF CONGRESS AVENUE VIEW CORRIDOR. In this chapter, "Congress Avenue view corridor" means all of the area between two lines:

1. one of which begins at Texas Plane Coordinate X-2817394.92, Y-226404.24 and terminates at Texas Plane Coordinate X-2818441.82, Y-229874.83; and

2. the second of which begins at Texas Plane Coordinate X-2817236.98, Y-226449.47 and terminates at Texas Plane Coordinate X-2818255.32, Y-229927.70; and

SECTION 2. The heading to Section 3151.051, Government Code, is amended to read as follows:

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Sec. 3151.051. PROHIBITED CONSTRUCTION; CAPITOL VIEW CORRIDOR.

SECTION 3. Subchapter B, Chapter 3151, Government Code, is amended by adding Section 3151.0511 to read as follows:

Sec. 3151.0511. PROHIBITED CONSTRUCTION; CONGRESS AVENUE VIEW CORRIDOR. A person may not begin, in the Congress Avenue view corridor, construction of a structure:

(1) on the west side of Congress Avenue that:
   (A) is within 60 feet of Congress Avenue; and
   (B) has a height that exceeds 90 feet; and
(2) on the east side of Congress Avenue that:
   (A) is within 40 feet of Congress Avenue; and
   (B) has a height that exceeds 90 feet.

SECTION 4. Section 3151.053, Government Code, is amended to read as follows:

Sec. 3151.053. CONFLICT WITH OTHER [LOCAL] REQUIREMENTS. If a requirement of this chapter conflicts with a requirement enacted by a municipality or with any other requirement under state law, the stricter requirement prevails.

SECTION 5. 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 April 3, 2013: Yeas 140, Nays 7, 2 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

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

CHAPTER 1289

H.B. No. 2268

AN ACT
relating to search warrants issued in this state and other states for certain customer data, communications, and other related information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.

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

SECTION 1. Article 18.02, Code of Criminal Procedure, is amended to read as follows:

Art. 18.02. GROUNDS FOR ISSUANCE. (a) A search warrant may be issued to search for and seize:

(1) property acquired by theft or in any other manner which makes its acquisition a penal offense;
(2) property specially designed, made, or adapted for or commonly used in the commission of an offense;
(3) arms and munitions kept or prepared for the purposes of insurrection or riot;
(4) weapons prohibited by the Penal Code;
(5) gambling devices or equipment, altered gambling equipment, or gambling paraphernalia;
(6) obscene materials kept or prepared for commercial distribution or exhibition, subject to the additional rules set forth by law;
(7) a drug, controlled substance, immediate precursor, chemical precursor, or other controlled substance property, including an apparatus or paraphernalia kept, prepared, or manufactured in violation of the laws of this state;
(8) any property the possession of which is prohibited by law;