(b) A payor of benefits may pursue recovery against uninsured/underinsured motorist coverage or medical payments coverage only if the covered individual or the covered individual’s immediate family did not pay the premiums for the coverage.

Sec. 140.008. CONSTRUCTION OF CHAPTER. This chapter does not create a cause of action. Nothing in this chapter shall be construed to prevent a payor of benefits from waiving, negotiating, or not pursuing any claim or recovery described by Section 140.004 or 140.005.

SECTION 2. Section 172.015, Local Government Code, is repealed.

SECTION 3. It is the intent of the legislature that if any provision, section, subsection, sentence, clause, phrase, or word of this Act or the application thereof to any person or circumstance is found to be unconstitutional, the provision, section, subsection, sentence, clause, phrase, or word is hereby declared to be severable and the balance of this Act remains effective notwithstanding such unconstitutionality. Moreover, the legislature declares that it would have passed this Act, and each provision, section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any provision, subsection, sentence, clause, phrase, or word, or any of their applications, were to be declared unconstitutional.

SECTION 4. The change in law made by this Act applies only to a contractual right of subrogation in a cause of action that accrues on or after the effective date of this Act to assert a contractual right of subrogation or recovery described by Section 140.004, Civil Practice and Remedies Code, as added by this Act.

SECTION 5. This Act takes effect January 1, 2014.

Passed by the House on May 6, 2013: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 14, 2013: Yeas 31, Nays 0.

Approved May 25, 2013.
Effective January 1, 2014.

CHAPTER 181
H.B. No. 2311
AN ACT
relating to an animal identification program.

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

SECTION 1. Sections 161.056(a), (c), and (d), Agriculture Code, are amended to read as follows:

(a) In order to provide for disease control and enhance the ability to trace disease-infected animals or animals that have been exposed to disease, the commission may develop and implement an animal identification program that is no more stringent than a federal animal disease traceability or other federal animal identification program [consistent with the United States Department of Agriculture’s National Animal Identification System].

(c) The commission may adopt rules to require the use of official identification numbers assigned as part of the animal identification program under Subsection (a) for animal disease control or animal emergency management, and other commission programs.

(d) The commission may by a two-thirds vote adopt rules to provide for an animal identification program more stringent than a program allowed by Subsection (a) only for control of a specific animal disease or for animal emergency management [establish a date by which all premises must be registered and may assess a registration fee on all entities that register for a premises identification number].

SECTION 2. Sections 161.056(b), (g), and (h), Agriculture Code, are repealed.

SECTION 3. (a) The changes in law made by this Act to Section 161.056, Agriculture Code, do not supersede rules of the Texas Animal Health Commission implementing an animal identification program adopted under Section 161.056, Agriculture Code, prior to the
amendment of that section by this Act. Those rules are continued in effect until amended or repealed as if this Act had not been enacted, and the former law is continued in effect for that purpose.

(b) Rules adopted under Section 161.056, Agriculture Code, and amendments to existing rules adopted under Section 161.056, Agriculture Code, after the effective date of this Act must be made in conformity with the changes in law made by this Act.

SECTION 4. (a) The repeal by this Act of Section 161.056(g), Agriculture Code, does not apply to an offense committed under that subsection before the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this Act is governed by Section 161.056(g), Agriculture Code, as it existed when the offense was committed, and the former law is continued in effect for that purpose.

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 26, 2013: Yeas 102, Nays 32, 1 present, not voting; passed by the Senate on May 13, 2013: Yeas 28, Nays 2.

Approved May 25, 2013.

Effective May 25, 2013.

CHAPTER 182

H.B. No. 2738

AN ACT
relating to a study by the Department of Information Resources regarding state agency technology efficiency.

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

SECTION 1. Chapter 2054, Government Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. LEGACY SYSTEMS STUDY

Sec. 2054.551. DEFINITION. In this subchapter, "legacy system" means a computer system or application program that is operated with obsolete or inefficient hardware or software technology.

Sec. 2054.552. STUDY. (a) The department shall conduct a study to identify legacy systems currently maintained by state agencies other than institutions of higher education. The study must include:

(1) an inventory of the systems maintained by state agencies;
(2) the annual cost and availability of resources to maintain the systems;
(3) the security risks related to use of the systems;
(4) if feasible, a cost estimate for updating the systems; and
(5) a plan for assessing and prioritizing statewide modernization projects to update or replace the systems.

(b) The department may contract with a private vendor to conduct the study.

(c) On request by the department, each state agency shall provide to the department the information necessary for the study. The department may require a state agency to clarify or validate information provided by the agency or related to the study.