CHAPTER 997

H.B. No. 2294

AN ACT
relating to an exemption from air conditioning and refrigeration contracting regulation for installation of a thermostat.

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

SECTION 1. Section 1302.002(2), Occupations Code, is amended to read as follows:

(2) “Air conditioning and refrigeration contracting” means performing or offering to perform the design, installation, construction, repair, maintenance, service, or modification of equipment or a product in an environmental air conditioning system, a commercial refrigeration system, or a process cooling or heating system. Notwithstanding any other provision of this chapter, the term does not include the performance of or an offer to perform the installation, repair, replacement, or modification of a thermostat or other temperature control interface by a person licensed or registered under Chapter 1702.

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

Passed by the House on May 3, 2013: Yeas 141, Nays 3, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2294 on May 23, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate, with amendments, on May 20, 2013: Yeas 27, Nays 4.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 998

H.B. No. 2312

AN ACT
relating to the membership of and the beef marketing, education, research, and promotion programs of the Texas Beef Council.

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

SECTION 1. Section 41.151(2), Agriculture Code, is amended to read as follows:

(2) “Council” means the Beef Promotion and Research Council of Texas [Beef Council].

SECTION 2. Section 41.152(b), Agriculture Code, is amended to read as follows:

(b) The council shall be the certified organization to plan, implement, and operate research, education, promotion, and marketing programs under this subchapter. If the council establishes a state beef check off program under Section 41.1571, the council shall administer that program. [The council is the state beef council qualified to collect the proceeds of and administer in this state the beef check off program established by federal law.]

SECTION 3. Section 41.156, Agriculture Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

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(a) A member of the council must be:

(1) nominated by the entity qualified to collect the proceeds of and administer the beef check off program established by federal law in this state or, in the entity's absence, the certified organizations that composed the entity; and

(2) appointed by the commissioner. [The council is composed of 20 members nominated by the council and appointed by the commissioner as follows:

- (1) three representatives of the Texas and Southwestern Cattle Raisers Association;
- (2) three representatives of the Texas Cattle Feeders Association;
- (3) three representatives of the Texas Farm Bureau;
- (4) two representatives of the Independent Cattlemen's Association of Texas;
- (5) two representatives of the Texas purebred cattle industry;
- (6) two representatives of the Texas dairy industry;
- (7) one representative of the Livestock Marketing Association of Texas;
- (8) one representative of meat packer and exporter associations;
- (9) one representative of Texas Cattle Women; and
- (10) two at large directors.]

(c) The commissioner, on recommendation of the council, shall fill a vacancy on the council by appointment for the unexpired term from nominations received in accordance with Subsection (a).

(d) A council member is not a state officer for purposes of Section 572.021, Government Code, solely because of the member's service on the council.

SECTION 4. Section 41.157, Agriculture Code, is amended to read as follows:

Sec. 41.157. GENERAL POWERS OF COUNCIL. The council may take action or exercise other authority as necessary to execute any act authorized by this chapter or the Texas Nonprofit Corporation Law as described by Section 1.008, Business Organizations Code (Non-Profit Corporation Act (Article 1524-1.01 et seq., Vernon's Texas Civil Statutes)). The council may contract or enter into agreements with the entity qualified to collect the proceeds of and administer the beef check off program established by federal law in this state.

SECTION 5. Subchapter H, Chapter 41, Agriculture Code, is amended by adding Section 41.1571 to read as follows:

Sec. 41.1571. STATE BEEF CHECK OFF PROGRAM. The council may establish and operate a state beef check off program that is separate from the beef check off program established by federal law.

SECTION 6. The change in law made by this Act regarding the appointment of members of the Texas Beef Council does not affect the entitlement of a member serving on the council immediately before the effective date of this Act to continue to serve as a member of the Beef Promotion and Research Council of Texas for the remainder of the member's term. The change in law applies only to a member appointed on or after the effective date of this Act.

SECTION 7. 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 2, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

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