(b) In determining whether an obligor is intentionally unemployed or underemployed, the court may consider evidence that the obligor is a veteran, as defined by 38 U.S.C. Section 101(2), who is seeking or has been awarded:

(1) United States Department of Veterans Affairs disability benefits, as defined by 38 U.S.C. Section 101(16); or
(2) non-service-connected disability pension benefits, as defined by 38 U.S.C. Section 101(17).

SECTION 3. Section 154.068, Family Code, is amended to read as follows:

Sec. 154.068. WAGE AND SALARY PRESUMPTION. In the absence of evidence of a party's resources, as defined by Section 154.062(b), [the wage and salary income of a party], the court shall presume that the party has income [wages or salary] equal to the federal minimum wage for a 40-hour week to which the support guidelines may be applied.

SECTION 4. The changes in law made by this Act to Sections 154.062, 154.066, and 154.068, Family Code, apply only to a proceeding to establish or modify a child support obligation that is pending in a trial court on or filed on or after the effective date of this Act.

SECTION 5. 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 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1047

H.B. No. 3028

AN ACT

relating to the use of the skills development fund and other funds available to the Texas Workforce Commission to support certain joint credit courses offered by school districts under agreements with lower-division institutions of higher education.

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

SECTION 1. Section 303.003, Labor Code, is amended by adding Subsections (b-2) and (i) to read as follows:

(b-2) In addition to the purposes described by Subsections (b) and (b-1), in each state fiscal biennium, an amount of money from the skills development fund not to exceed five percent of the amount of general revenue appropriated to the skills development fund for that biennium may be used as provided by this subsection. Funds available to the commission from other sources may also be used as provided by this subsection. Funds may be awarded under this subsection to a lower-division institution of higher education to be used under an agreement with a school district to support courses offered for joint high school and college-level credit or offered under a college credit career or technical education program that leads to an industry-recognized license, credential, or certificate. Appropriate uses of funds awarded under this subsection include purchasing or repairing necessary equipment for a course and developing a course curriculum. A course or program supported under this subsection must:

(1) have the endorsement of, or a letter of support from, at least one employer in this state; and
(2) be targeted to address the needs of high-demand fields or occupations, as identified by the applicable local workforce development board.

(i) In this section, "lower-division institution of higher education" means a public junior college, public state college, or public technical institute.

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 2, 2013: Yeas 147, Nays 0, 2 present, not voting; the 
House concurred in Senate amendments to H.B. No. 3028 on May 24, 2013: Yeas 
146, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 
22, 2013: Yeas 31, Nays 0.

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

CHAPTER 1048
H.B. No. 3038

AN ACT
relating to licensing and regulation of auctioneers; authorizing a fee.

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

SECTION 1. Section 1802.001, Occupations Code, is amended by amending Subdivisions (3) and (5) and adding Subdivisions (10), (11), (12), and (13) to read as follows:

(3) "Auction" means the sale of property by competitive bid using any method, format, or venue.

(5) "Auctioneer" means any person who:

(A) sells or offers to sell property at auction, with or without receiving valuable consideration; or

(B) solicits, negotiates, or executes an auction listing contract as a bid caller.

(10) "Personal property" means any property other than real property, including all tangible and intangible types of property.

(11) "Real property" means land, including improvements, fixtures, and other property appurtenant to or used in connection with the land, and any other estate, interest, or legal or equitable right in the land, improvement, fixture, or appurtenant property.

(12) "Recurring basis" means more than once every 24 months.

(13) “Sealed bid auction” means a sealed bidding procedure that incorporates or allows for the competitive increasing or decreasing of bids after the opening of sealed bids.

SECTION 2. Sections 1802.002 and 1802.003, Occupations Code, are amended to read as follows:

Sec. 1802.002. APPLICABILITY. (a) This chapter does not apply to:

(1) a sale conducted by order of a United States court under Title 11, United States Code;

(2) a sale conducted by an employee of the United States, this state, or a political subdivision of this state in the course and scope of employment;

(3) a sale conducted by a charitable, religious, or civic organization, including an organization having a tax exempt status under Section 501(c), Internal Revenue Code of 1986, or organized as a nonprofit entity, if the person organizing, arranging, or conducting the auction receives no compensation;

(4) a sale conducted by any person of the person’s property if the person is not engaged in the business of selling property at auction on a recurring basis;

(5) a foreclosure sale of real property personally conducted by a trustee under a deed of trust;

(6) a foreclosure sale of personal property personally conducted by:

(A) a person who holds a security interest in the property, including a mortgage; or

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