(1) an attorney employed by the office of capital writs is not appointed in the case; and
(2) the attorney employed by the public defender’s office is on the list of competent counsel maintained under Section 78.056, Government Code.

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 10, 2013: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

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

CHAPTER 867
H.B. No. 588
AN ACT
relating to the regulation of the practice of physical therapy; authorizing fees.

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

SECTION 1. Section 453.151, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) Information maintained by the executive council or the board under this chapter regarding the home address or personal telephone number of a person licensed under this chapter or a person who is an owner or manager of a physical therapy facility registered under this chapter is confidential and not subject to disclosure under Chapter 552, Government Code. A person licensed under this chapter or a person who is an owner or manager of a physical therapy facility registered under this chapter must provide the board with a business address or address of record that will be subject to disclosure under Chapter 552, Government Code.

SECTION 2. Section 453.212, Occupations Code, is amended to read as follows:

Sec. 453.212. DISPLAY OF LICENSE [AND RENEWAL CERTIFICATE]. A license holder under this chapter shall display the license holder’s license [and renewal certificate] in a conspicuous place in the principal office in which the license holder practices physical therapy.

SECTION 3. Sections 453.252(b), (c), and (d), Occupations Code, are amended to read as follows:

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the executive council the renewal fee and a late fee set by the executive council in an amount that does not exceed one-half [that is equal to half] of the amount charged for examination for the license. If a person’s license has been expired for more than 90 days but less than one year, the person may renew the license by paying to the executive council all unpaid renewal fees and a late fee set by the executive council in an amount that does not exceed [that is equal to] the amount charged for examination for the license.

(c) A person whose license has been expired for one year or longer must comply with the board’s requirements and procedures to reinstate the license and pay a reinstatement fee in the amount set by the executive council. If the person is unable to comply with the board’s requirements to reinstate the license, the person may obtain a new license by submitting to reexamination and complying with the requirements and procedures for obtaining an original license.

(d) At least 30 days before the expiration of a person’s license, the executive council shall provide the person with written notice of the impending license expiration to the person at the person’s last known address according to the records of the executive council.
SECTION 4. Section 453.253, Occupations Code, is amended to read as follows:

Sec. 453.253. RENEWAL OF EXPIRED LICENSE BY OUT-OF-STATE PRACTITIONER. (a) The board may renew without reexamination the expired license of a person who was licensed to practice as a physical therapist or physical therapist assistant in this state, moved to another state, [and] is currently licensed and in good standing [has been in practice] in the other state, and meets the board’s requirements for renewal [for the two years preceding application].

(b) The person must pay to the executive council a renewal fee set by the executive council in an amount that does not exceed [that is equal to] the examination fee for the license.

SECTION 5. (a) Not later than December 1, 2013, the Texas Board of Physical Therapy Examiners and the Executive Council of Physical Therapy and Occupational Therapy Examiners shall adopt rules and fees necessary to implement Sections 453.252 and 453.253, Occupations Code, as amended by this Act.

(b) Sections 453.252 and 453.253, Occupations Code, as amended by this Act, apply only to the renewal of a physical therapist or physical therapist assistant license that expires on or after December 1, 2013. A license that expires before that date is governed by the law in effect on the date the license expires, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2013.

Passed by the House on April 11, 2013: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 30, Nays 1.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 868

H.B. No. 633

AN ACT

relating to a voluntary contribution to the fund for veterans’ assistance when applying for a driver’s license or personal identification certificate.

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

SECTION 1. Section 434.017(a), Government Code, is amended to read as follows:

(a) The fund for veterans’ assistance is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;
(2) gifts and grants contributed to the fund;
(3) the earnings of the fund;
(4) money transferred to the fund from proceeds of the lottery game operated under Section 466.027 or transferred to the fund under Section 466.408(b); [and]
(5) money deposited to the credit of the fund under Section 502.1746, Transportation Code; and
(6) money deposited to the credit of the fund under Section 521.008, Transportation Code.

SECTION 2. Subchapter A, Chapter 521, Transportation Code, is amended by adding Section 521.008 to read as follows:

Sec. 521.008. VOLUNTARY CONTRIBUTION TO FUND FOR VETERANS’ ASSISTANCE. (a) When a person applies for an original or renewal driver’s license or personal identification certificate under this chapter, the person may make a voluntary contribution in any amount to the fund for veterans’ assistance established by Section 434.017, Government Code.