(d) The utility shall promptly deliver contributions that it collects under this section to the designated local library, volunteer fire department, or emergency medical service, except that the utility may keep from the contributions an amount equal to the lesser of:

(1) the utility's expenses in administering the contribution program; or

(2) five percent of the amount collected as contributions.

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 145, Nays 2, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 29, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 264

H.B. No. 695

AN ACT

relating to funding state highway markers.

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

SECTION 1. Sections 225.021(b) and (c), Transportation Code, are amended to read as follows:

(b) The department shall accept a grant or donation made to assist in financing the construction and maintenance of a marker.

(c) The department may not design, construct, or erect a marker under this subchapter unless a grant or donation of funds is made to the department to cover the cost of the design, construction, and erection of the marker.

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 April 4, 2013: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 265

H.B. No. 712

AN ACT

relating to the responsibility for keeping fire-fighting equipment furnished to a volunteer fire department by a county in good working order.

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

SECTION 1. Section 352.005(e), Local Government Code, is amended to read as follows:

(e) The petitioner county shall keep the fire-fighting equipment in good working order, and all necessary repairs or replacements, and provide... The commissioners court shall determine if a repair or replacement is necessary and shall require that repair work,
including] labor and materials for repairs[, be provided as much as possible by the court's shop that it designates]. The commissioners court may provide the petitioner with at least one emergency unit of fire-fighting equipment to be used while the regular unit is being repaired or replaced. The commissioners court may use an available truck or other equipment if it is unable to acquire a new truck or equipment for the purpose of building or equipping the fire-fighting equipment.

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

Passed by the House on April 3, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.

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

CHAPTER 266
H.B. No. 729
AN ACT
relating to access to criminal history record information by certain hospitals and other facilities.

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

SECTION 1. Sections 411.136(b) and (d), Government Code, are amended to read as follows:

(b) A public or nonprofit hospital or hospital district is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is:

(1) an applicant for employment or a volunteer position with the hospital or district;
(2) an employee of or a volunteer with the hospital or district; or
(3) an applicant for employment with or an employee of a person or business that contracts with the hospital or district;
(4) a student enrolled in an educational program or course of study who is at the hospital or a hospital owned or operated by the district for educational purposes.

(d) The public or nonprofit hospital or hospital district may dismiss a person or deny a person employment or a volunteer position or refuse to allow a person to work in a hospital or district facility if:

(1) the person fails or refuses to provide information described by Subsection (c); or
(2) the person's criminal history record information reveals a conviction or deferred adjudication that renders the person unqualified or unsuitable for employment or a volunteer position or to be present at a hospital for educational purposes.

SECTION 2. Section 411.1387, Government Code, is amended by amending Subsections (b), (c), and (e) and adding Subsection (b-1) to read as follows:

(b) A [facility] regulatory agency[, or private agency on behalf of a facility] is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is:

(1) an applicant for employment at or an employee of a facility other than a facility licensed under Chapter 142, Health and Safety Code; or
(2) an applicant for employment at or an employee of a facility licensed under Chapter 142, Health and Safety Code, if the duties of employment involve direct contact with a consumer in the facility.

(b-1) A facility or a private agency on behalf of a facility is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is:

(1) an applicant for employment with, an employee of, or a volunteer with the facility;