(b) The division, under the Emergency Management Assistance Compact, may incorporate into the emergency forces of this state volunteer health practitioners who are not officers or employees of this state or a political subdivision of this state.

Sec. 115.010. REGULATORY AUTHORITY. The division may adopt rules to implement this chapter. In adopting rules, the division shall consult with and consider the recommendations of the entity established to coordinate the implementation of the Emergency Management Assistance Compact and shall consult with and consider rules adopted by similarly empowered agencies in other states to promote uniformity in the application of this chapter and to make the emergency response systems in the various states reasonably compatible.

Sec. 115.011. LIMITATIONS ON CIVIL LIABILITY FOR VOLUNTEER HEALTH PRACTITIONERS. (a) Subject to Subsection (c), a volunteer health practitioner who provides health or veterinary services under this chapter is not liable for damages for an act or omission of the practitioner in providing those services.

(b) A person is not vicariously liable for damages for an act or omission of a volunteer health practitioner if the practitioner is not liable for the damages under Subsection (a).

(c) This section does not limit the liability of a volunteer health practitioner for:

(1) willful misconduct or wanton, grossly negligent, reckless, or criminal conduct;
(2) an intentional tort;
(3) breach of contract;
(4) a claim asserted by a host entity or by an entity located in this or another state that employs or uses the services of the practitioner; or
(5) an act or omission relating to the operation of a motor vehicle, vessel, aircraft, or other vehicle.

(d) A person who operates, uses, or relies on information provided by the volunteer health practitioner registration system under this chapter is not liable for damages for an act or omission relating to that operation, use, or reliance unless the act or omission is an intentional tort or is willful misconduct or wanton, grossly negligent, reckless, or criminal conduct.

SECTION 2. In applying and construing Chapter 115, Occupations Code, as added by this Act, a court or governmental entity shall take into consideration the need to promote uniformity of the law with respect to the subject matter of this Act among states that enact similar uniform laws.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1265

H.B. No. 798

AN ACT
relating to certain actions taken by certain licensing authorities regarding a license holder or applicant who has been convicted of a Class C misdemeanor.

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

SECTION 1. Section 53.021, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Subsection (a) does not apply to a person who has been convicted only of an offense punishable as a Class C misdemeanor unless:
(1) the person is an applicant for or the holder of a license that authorizes the person to possess a firearm; and

(2) the offense for which the person was convicted is a misdemeanor crime of domestic violence as that term is defined by 18 U.S.C. Section 921.

SECTION 2. The change in law made by this Act applies to an application for, or a disciplinary proceeding regarding, a license or other authorization that is pending with a licensing authority on the effective date of this Act or an application filed or a disciplinary proceeding commenced on or after that date.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on April 25, 2013: Yeas 136, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 798 on May 16, 2013: Yeas 140, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1266

H.B. No. 800

AN ACT

relating to a sales and use tax exemption and a franchise tax credit related to certain research and development activities.

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

SECTION 1. LEGISLATIVE FINDINGS AND PURPOSES. (a) The legislature finds that:

(1) Texas economic activity accounts for more than eight percent of the economic activity in the United States, but accounts for only five percent of research and development spending in the United States;

(2) research and development activities create:

(A) high-paying jobs that provide substantial benefits to the Texas economy; and

(B) new technologies and applications that generate economic efficiency and growth;

and

(3) private-sector research and development activities create partnerships between private-sector entities and institutions of higher education, and those partnerships expand opportunities for innovation and learning.

(b) Based on the findings specified in Subsection (a) of this section, the purposes of this Act are to:

(1) make Texas economically competitive in the field of research and development;

(2) reduce the tax burden on research and development activities in Texas and encourage new investments in this state;

(3) promote the creation of new, highly skilled, high-paying jobs in Texas; and

(4) complement this state's manufacturing industries by encouraging innovation and efficiency in applying new technologies and producing new products.

SECTION 2. SALES AND USE TAX EXEMPTION. Subchapter H, Chapter 151, Tax Code, is amended by adding Section 151.3182 to read as follows:

Sec. 151.3182. CERTAIN PROPERTY USED IN RESEARCH AND DEVELOPMENT ACTIVITIES; REPORTING OF ESTIMATES AND EVALUATION. (a) In this section:

(1) "Depreciable tangible personal property" means tangible personal property that:

(A) has a useful life that exceeds one year; and