and distribution of electricity from the electricity's original source to a substation for further distribution.

SECTION 2. Section 1305.102(a), Occupations Code, is amended to read as follows:

(a) The executive director shall adopt rules for the licensing of electricians, sign electricians, electrical sign contractors, electrical contractors, journeyman linemen, residential appliance installers, and residential appliance installation contractors as prescribed by this chapter.

SECTION 3. Subchapter D, Chapter 1305, Occupations Code, is amended by adding Section 1305.1605 to read as follows:

Sec. 1305.1605. JOURNEYMAN LINEMAN. (a) An applicant for a license as a journeyman lineman must:

(1) have at least:
   (A) 7,000 hours of training in an apprenticeship program approved by the United States Department of Labor; or
   (B) 3–1/2 years of experience as a journeyman lineman for an electric utility, electric cooperative, municipally owned utility, or electrical contractor in this state; and

(2) pass a journeyman lineman examination administered under this chapter.

(b) A journeyman lineman license is not required for:

(1) a person performing work exempt under Section 1305.003(a)(5); or

(2) a person who:
   (A) is performing journeyman lineman work;
   (B) possesses a journeyman electrician license; and
   (C) is employed by an institution of higher education, as defined by Section 61.003, Education Code.

SECTION 4. Section 1305.168(a), Occupations Code, is amended to read as follows:

(a) To renew a master electrician, journeyman electrician, master sign electrician, journeyman sign electrician, maintenance electrician, journeyman lineman, or residential wireman license, the license holder must complete four hours of continuing education annually.

SECTION 5. (a) Not later than January 1, 2014, the executive director of the Texas Department of Licensing and Regulation shall adopt rules regulating the licensing of a journeyman lineman, as required by Section 1305.102, Occupations Code, as amended by this Act.

(b) A person is not required to hold a license as a journeyman lineman under Chapter 1305, Occupations Code, as amended by this Act, before June 1, 2014.

SECTION 6. 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 135, Nays 12, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 796 on May 24, 2013: Yeas 124, Nays 21, 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 883

H.B. No. 807

AN ACT

relating to the practice of psychology; authorizing a fee.
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 593.004 and 593.005, Health and Safety Code, are amended to read as follows:

Sec. 593.004. APPLICATION FOR DETERMINATION OF MENTAL RETARDATION. (a) In this section, “authorized provider” means:

1. a physician licensed to practice in this state;
2. a psychologist licensed to practice in this state;
3. a professional licensed to practice in this state and certified by the department; or
4. a provider certified by the department before September 1, 2013.

(b) A person believed to be a person with mental retardation, the parent if the person is a minor, or the guardian of the person may make written application to an authorized provider for a determination of mental retardation using forms provided by the department.

Sec. 593.005. DETERMINATION OF MENTAL RETARDATION. (a) In this section, “authorized provider” has the meaning assigned by Section 593.004.

(a-1) An authorized provider shall perform the determination of mental retardation. The department may charge a reasonable fee for certifying an authorized provider.

(b) The authorized provider shall base the determination on an interview with the person and on a professional assessment that, at a minimum, includes:

1. a measure of the person’s intellectual functioning;
2. a determination of the person’s adaptive behavior level; and
3. evidence of origin during the person’s developmental period.

(c) The authorized provider may use a previous assessment, social history, or relevant record from a school district, a public or private agency, or another physician or psychologist if the authorized provider determines that the assessment, social history, or record is valid.

(d) If the person is indigent, the determination of mental retardation shall be performed at the department’s expense by an authorized provider.

SECTION 2. Section 501.004(a), Occupations Code, is amended to read as follows:

(a) This chapter does not apply to:

1. the activity or service of a person, or the use of an official title by the person, who is employed as a psychologist or psychological associate by a governmental agency or regionally accredited institution of higher education if the person performs duties the person is employed by the agency or institution to perform within the confines of the agency or institution;
2. the activity or service of a student, intern, or resident in psychology if:
   A. the person is pursuing a course of study to prepare for the profession of psychology under qualified supervision in a recognized training institution or facility;
   B. the activity or service is part of the person’s supervised course of study; and
   C. the person is designated as a “psychological intern,” as a “psychological trainee,” or by another title that clearly indicates the person’s training status;
3. the activity or service of a licensed professional, other than a person licensed under this chapter, if:
   A. the activity or service is permitted under the person’s license; and
   B. the person does not represent that the person is a psychologist or describe the service provided by using the term “psychological”;

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(4) the activity or service of a recognized member of the clergy who is acting within the person's ministerial capabilities if the person does not:
   (A) represent that the person is a psychologist; or
   (B) describe the service provided by using the term "psychological"; [or]
(5) the voluntary activity or service of a person employed by or working on behalf of a charitable nonprofit organization if the person does not:
   (A) represent that the person is a psychologist; or
   (B) describe the service provided by using the term "psychological"; or
(6) the activity or service of a person who is employed by a governmental agency if the person:
   (A) performs duties the person is employed by the agency to perform within the confines of the agency; and
   (B) does not represent that the person is a psychologist.

SECTION 3. Section 501.153(c), Occupations Code, is amended to read as follows:
(c) A psychologist is exempt from this section if the psychological services provided and the psychologist's use of an official title are within the scope of the psychologist's employment as described by Section 501.004(a)(1) or (6).

SECTION 4. 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 11, 2013: Yeas 144, 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 884
H.B. No. 826
AN ACT
relating to the definitions of certain terms for purposes of the ad valorem taxation of certain dealer's heavy equipment inventory.

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

SECTION 1. Sections 23.1241(a)(1) and (2), Tax Code, are amended to read as follows:
(1) "Dealer" means a person engaged in the business in this state of selling, leasing, or renting heavy equipment. The term does not include a bank, savings bank, savings and loan association, credit union, or other finance company. In addition, for purposes of taxation of a person's inventory of heavy equipment in a tax year, the term does not include a person who renders the person's inventory of heavy equipment for taxation in that tax year by filing a rendition statement or property report in accordance with Chapter 22.
(2) "Dealer's heavy equipment inventory" means all items of heavy equipment that a dealer holds for sale, lease, or rent in this state during a 12-month period.

SECTION 2. The only purposes of this Act are to exclude certain financial institutions and other finance companies, as well as persons who render their inventory of heavy equipment for taxation in accordance with Chapter 22, Tax Code, from being required to comply with the requirements of Sections 23.1241, 23.1242, and 23.1243, Tax Code, as amended or added by Chapter 322 (H.B. 2476), Acts of the 82nd Legislature, Regular Session, 2011, and to limit the definition of a dealer's heavy equipment inventory for purposes of those sections of the Tax Code to items of heavy equipment held for sale, lease, or rent in this state.