purpose of reviewing study or evaluation proposals and ensuring appropriate data use
under Section 1.005, including compliance with applicable state and federal laws governing
use of and access to the data.
(b) The advisory board is not a governmental body for purposes of Chapter 551 or 552,
Government Code.
(c) The membership of the advisory board must include:
(1) a representative of the Texas Higher Education Coordinating Board, designated by
the commissioner of higher education;
(2) a representative of the Texas Education Agency, designated by the commissioner of
education;
(3) a representative of the Texas Workforce Commission, designated by the commission;
(4) the director of each education research center or the director’s designee; and
(5) a representative of preschool, elementary, or secondary education.
(d) Each study or evaluation conducted at a center under Section 1.005 must be approved
in advance by majority vote of the advisory board. A center may submit to the advisory
board a proposal developed by any qualified researcher, including a researcher from another
educational institution, a graduate student, a P–16 Council representative, or another
researcher proposing research to benefit education in this state. In determining whether to
approve a proposed study or evaluation, the advisory board must:
(1) consider the potential of the proposed research to benefit education in this state;
(2) require each center director or designee to review and approve the proposed research
design and methods to be used in the proposed study or evaluation; and
(3) consider the extent to which the data required to complete the proposed study or
evaluation is not readily available from other data sources.
(e) The advisory board shall meet at least quarterly. Any meeting of the advisory board
may be conducted by electronic means, including a meeting by telephone conference call, by
video conference call, through the Internet, or by any combination of those means.
(f) The advisory board may create committees and subcommittees that the advisory board
determines are convenient or necessary.
SECTION 5. 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 25, 2013: Yeas 130, Nays 1, 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 466
S.B. No. 1010
AN ACT
relating to access to certain facilities by search and rescue dogs and their handlers; providing a
criminal penalty.
Be it enacted by the Legislature of the State of Texas:
SECTION 1. Subtitle B, Title 9, Health and Safety Code, is amended by adding Chapter
785 to read as follows:

CHAPTER 785. SEARCH AND RESCUE DOGS
Sec. 785.001. DEFINITIONS. In this chapter:
(1) “Handler” means a person who handles a search and rescue dog and who is certified
by the National Association for Search and Rescue or another state or nationally
recognized search and rescue agency.
“Housing accommodations” has the meaning assigned by Section 121.002(3), Human Resources Code.

“Public facility” means a facility described by Section 121.002(5), Human Resources Code.

“Search and rescue dog” means a canine that is trained or being trained to assist a nationally recognized search and rescue agency in search and rescue activities.

Sec. 785.002. DISCRIMINATION PROHIBITED. (a) The owner, manager, or operator of a public facility, or an employee or other agent of the owner, manager, or operator, may not deny a search and rescue dog admittance to the facility.

(b) The owner, manager, or operator of a public facility, or an employee or other agent of the owner, manager, or operator, may not deny a search and rescue dog's handler admittance to the facility because of the presence of the handler's search and rescue dog.

(c) The owner, manager, or operator of a common carrier, airplane, railroad train, motor bus, streetcar, boat, or other public conveyance or mode of transportation operating within this state, or an employee or other agent of the owner, manager, or operator, may not:

(1) refuse to accept as a passenger a search and rescue dog or the dog's handler; or

(2) require the dog's handler to pay an additional fare because of the search and rescue dog.

(d) The discrimination prohibited by this section includes:

(1) refusing to allow a search and rescue dog or the dog's handler to use or be admitted to a public facility;

(2) a ruse or subterfuge calculated to prevent or discourage a search and rescue dog or the dog's handler from using or being admitted to a public facility; and

(3) failing to make a reasonable accommodation in a policy, practice, or procedure to allow a search and rescue dog or the dog's handler to be admitted to a public facility.

(e) A policy relating to the use of a public facility by a designated class of persons from the general public may not prohibit the use of the particular public facility by a search and rescue dog or the dog's handler.

(f) A search and rescue dog's handler is entitled to full and equal access, in the same manner as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this state, subject to any condition or limitation established by law that applies to all persons, except that the handler may not be required to pay an extra fee or charge or security deposit for the search and rescue dog.

Sec. 785.003. PENALTY FOR DISCRIMINATION. (a) A person who violates Section 785.002 commits an offense. An offense under this subsection is a misdemeanor punishable by a fine of not less than $300 or more than $1,000.

(b) It is a defense to prosecution under Subsection (a) that the actor requested the search and rescue dog handler's credentials under Section 785.005 and the handler failed to provide the actor with the credentials.

Sec. 785.004. RESPONSIBILITIES OF HANDLERS; CIVIL LIABILITY. (a) A handler who accompanies a search and rescue dog shall keep the dog properly harnessed or leashed. A person may maintain a cause of action against a dog's handler for personal injury, property damage, or death resulting from the failure of the dog's handler to properly harness or leash the dog under the same law applicable to other causes brought for the redress of injuries caused by animals.

(b) The handler of a search and rescue dog is liable for any property damage caused by the search and rescue dog to a public facility or to housing accommodations.

(c) A governmental unit, as defined by Section 101.001, Civil Practice and Remedies Code, is subject to liability under this section only as provided by Chapter 101, Civil Practice and Remedies Code. A public servant, as defined by Section 108.001, Civil Practice and Remedies Code, is subject to liability under this section only as provided by Chapter 108, Civil Practice and Remedies Code.
Sec. 785.005. CANINE HANDLER CREDENTIALS. A person may ask a search and rescue dog handler to display proof that the handler is a person with a certification issued by the National Association for Search and Rescue or another state or nationally recognized search and rescue agency.

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

Passed the Senate on May 2, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 129, Nays 5, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 467

S.B. No. 1012

AN ACT

relating to the McMullen Groundwater Conservation District.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8874 to read as follows:

CHAPTER 8874. MCMULLEN GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8874.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “Director” means a board member.
(3) “District” means the McMullen Groundwater Conservation District.

Sec. 8874.002. NATURE OF DISTRICT. The district is a groundwater conservation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8874.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The district is created to serve a public use and benefit.
(b) All land and other property included in the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

Sec. 8874.004. DISTRICT TERRITORY. The district’s boundaries are coextensive with the boundaries of McMullen County unless the district’s territory has been modified under:
(1) Subchapter J, Chapter 36, Water Code; or
(2) other law.

Sec. 8874.005. DISTRICT NAME CHANGE. The board may change the district’s name when the district annexes territory.

[Sections 8874.006-8874.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8874.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of five directors.
(b) Directors serve staggered four-year terms.

Sec. 8874.052. ELECTION OF DIRECTORS. (a) Directors are elected according to the commissioners precinct method as provided by this section.