SECTION 2. Subsection (b), Section 2308.252, Occupations Code, is amended to read as follows:

(b) A parking facility owner is considered to have given notice under Subsection (a)(3) if:

(1) a conspicuous notice has been attached to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:
   (A) that the vehicle is in a parking space in which the vehicle is not authorized to be parked;
   (B) a description of all other unauthorized areas in the parking facility;
   (C) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it remains in an unauthorized area of the parking facility; and
   (D) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle; and

(2) a notice is mailed after the notice is attached to the vehicle as provided by Subdivision (1) to the owner of the vehicle by certified mail, return receipt requested, to the last address shown for the owner according to the vehicle registration records of the Texas Department of Motor Vehicles [Transportation], or if the vehicle is registered in another state, the appropriate agency of that state.

SECTION 3. The changes in law made by this Act apply only to a notice mailed on or after September 1, 2013. A notice mailed before September 1, 2013, is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2013.

Passed the Senate on April 4, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 22, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 2013: Yeas 134, Nays 0, two present not voting.

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

CHAPTER 765

S.B. No. 1057

AN ACT

relating to information about private health care insurance coverage and the health insurance exchange for individuals applying for certain Department of State Health Services health or mental health benefits, services, and assistance.

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

SECTION 1. Subchapter D, Chapter 1001, Health and Safety Code, is amended by adding Sections 1001.080 and 1001.081 to read as follows:

Sec. 1001.080. HEALTH INSURANCE COVERAGE INFORMATION. (a) In this section, "individual's legally authorized representative" means:

(1) a parent, managing conservator, or guardian of an individual, if the individual is a minor;

(2) a guardian of an individual, if the individual has been adjudicated incompetent to manage the individual's personal affairs; or

(3) an agent of the individual authorized under a durable power of attorney for health care.

(b) This section applies to health or mental health benefits, services, or assistance provided by the department that the department anticipates will be impacted by a health insurance exchange as defined by Section 1001.081(a), including:

(1) community primary health care services provided under Chapter 31;

(2) women's and children's health services provided under Chapter 32;
services for children with special health care needs provided under Chapter 35;
epilepsy program assistance provided under Chapter 40;
hemophilia program assistance provided under Chapter 41;
kidney health care services provided under Chapter 42;
human immunodeficiency virus infection and sexually transmitted disease prevention programs and services provided under Chapter 85;
immunization programs provided under Chapter 161;
programs and services provided by the Rio Grande State Center under Chapter 252;
mental health services for adults provided under Chapter 534;
mental health services for children provided under Chapter 534;
the NorthSTAR Behavioral Health Program provided under Chapter 534;
programs and services provided by community mental health hospitals under Chapter 552;
programs and services provided by state mental health hospitals under Chapter 552; and
any other health or mental health program or service designated by the department.

Subject to Subsection (d), the department may not provide health or mental health benefits, services, or assistance described in Subsection (b) unless the individual applying to receive the benefits, services, or assistance submits to the department on the form prescribed by the department:

(1) a statement by the individual or the individual’s legally authorized representative attesting that the individual does not have access to private health care insurance that provides coverage for the benefit, service, or assistance; or
(2) if the individual has access to private health care insurance that provides coverage for the benefit, service, or assistance, the information and authorization necessary for the department to submit a claim for reimbursement from the insurer for the benefit, service, or assistance.

The department may waive the prohibition under Subsection (c) for an individual or for health or mental health benefits, services, or assistance described in Subsection (b) if the department determines that a benefit, service, or assistance is necessary during a crisis or emergency.

The executive commissioner shall adopt rules necessary to implement this section.

Sec. 1001.081. HEALTH INSURANCE EXCHANGE INFORMATION. (a) In this section:

(1) “Health insurance exchange” means an American Health Benefit Exchange administered by the federal government under 42 U.S.C. Section 18041 or created under 42 U.S.C. Section 18031.
(2) “Individual’s legally authorized representative” has the meaning assigned by Section 1001.080(a).
(b) The department may develop informational materials regarding health care insurance coverage and subsidies available under a health insurance exchange.
(c) The department shall provide the informational materials regarding health care insurance coverage and subsidies available under a health insurance exchange to an individual or the individual’s legally authorized representative who:
(1) applies to receive health or mental health benefits, services, or assistance described in Section 1001.080(b); and
(2) has an income above 100 percent of the federal poverty level.
(d) The executive commissioner shall adopt rules necessary to implement this section.
SECTION 2. As soon as practicable after the effective date of this Act, the Department of State Health Services shall prescribe the form required by Section 1001.080, Health and Safety Code, as added by this Act.

SECTION 3. As soon as possible after the effective date of this Act, the Health and Human Services Commission shall apply for any waiver or other authorization necessary to implement this Act. The commission may delay implementing this Act until the waiver or authorization is granted.

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 the Senate on April 11, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 143, Nays 2, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 766

S.B. No. 1061

AN ACT

relating to parking privileges of disabled veterans on the property of institutions of higher education.

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

SECTION 1. Section 681.008, Transportation Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) A vehicle described by Subsection (a) may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities on the property of an institution of higher education, as defined by Section 61.003, Education Code, regardless of whether a permit is generally required for the use of the space or area. An institution of higher education may require a vehicle described by Subsection (a) to display a parking permit issued by the institution specifically for the purpose of implementing this subsection, but may not charge a fee for the permit. This subsection does not entitle a person to park a vehicle described by Subsection (a) in a parking space or area that has not been designated specifically for persons with physical disabilities on the property of the institution if the vehicle has not been granted or assigned a parking permit required by the institution.

(a-2) Subsection (a-1) does not apply to a parking space or area located in:

(1) a controlled access parking facility if at least 50 percent of the number of parking spaces or areas designated specifically for persons with physical disabilities on the property of the institution of higher education are located outside a controlled access parking facility;

(2) an area temporarily designated for special event parking; or

(3) an area where parking is temporarily prohibited for health or safety concerns.

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 the Senate on April 29, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 134, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.