Funding for an adult education program under this section is provided based on the following:

(1) for participants who are 26 years of age and older, an amount per participant from available general revenue funds appropriated for the pilot program equal to the statewide average amount of state funding per student in weighted average daily attendance that would be allocated under the Foundation School Program to an open-enrollment charter school under Section 12.106 were the student under 26 years of age; and

(2) for participants who are at least 19 years of age and under 26 years of age, an amount per participant through the Foundation School Program equal to the amount of state funding per student in weighted average daily attendance that would be allocated under the Foundation School Program for the student's attendance at an open-enrollment charter school in accordance with Section 12.106.

Sections 12.107 and 12.128 apply as though funds under this section were funds under Subchapter D, Chapter 12.

Not later than December 1 of each even-numbered year, beginning December 1, 2016, the agency shall prepare and deliver to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing legislative committee with primary jurisdiction over public education or economic development a report that:

(1) evaluates any adult education program operated under a charter granted under this section; and

(2) makes recommendations regarding the abolition, continuation, or expansion of the pilot program.

The commissioner shall adopt rules necessary to administer the pilot program under this section. In adopting rules, the commissioner may modify charter school requirements only to the extent necessary for the administration of a charter school under this section that provides for adult education.

SECTION 2. Subsection (a), Section 42.003, Education Code, is amended to read as follows:

(a) A student is entitled to the benefits of the Foundation School Program if, on September 1 of the school year, the student:

(1) is 5 years of age or older and under 21 years of age and has not graduated from high school, or is at least 21 years of age and under 26 years of age and has been admitted by a school district to complete the requirements for a high school diploma; or

(2) is at least 19 years of age and under 26 years of age and is enrolled in an adult high school diploma and industry certification charter school pilot program under Section 29.259.

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

Passed the Senate on April 10, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 16, 2013: Yeas 29, Nays 0; passed the House, with amendment, on May 10, 2013: Yeas 99, Nays 36, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.
(a) The commissioners court of the county may call an election on the question of creating a county assistance district under this chapter. More than one county assistance district may be created in a county, but not more than one district may be created in a commissioners precinct.

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 25, 2013: Yeas 30, Nays 0; passed the House on May 17, 2013: Yeas 120, Nays 20, three present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 480

S.B. No. 1240

AN ACT
relating to the partition of mineral interests of a charitable trust.

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

SECTION 1. Subtitle C, Title 9, Property Code, is amended by adding Chapter 124 to read as follows:

CHAPTER 124. PARTITION OF MINERAL INTERESTS OF CHARITABLE TRUST

Sec. 124.001. DEFINITIONS. In this chapter:

(1) “Charitable entity” means a corporation, trust, community chest, fund, foundation, or other entity organized for scientific, educational, philanthropic, or environmental purposes, social welfare, the arts and humanities, or another civic or public purpose described by Section 501(c)(3), Internal Revenue Code of 1986.

(2) “Charitable trust” means a charitable entity, a trust the stated purpose of which is to benefit a charitable entity, or an inter vivos or testamentary gift to a charitable entity.

(3) “Mineral interest” means an interest in oil, gas, or other mineral substance in place or that otherwise constitutes real property without regard to the depth at which such mineral substance is found.

Sec. 124.002. COMPULSORY DIVESTMENT PROHIBITED. In a suit or other judicial proceeding the object or effect of which is to compel the partition of a mineral interest owned or claimed by a charitable trust, a sale or other action that would divest the charitable trust of the trust’s ownership of a mineral interest may not be ordered unless the trust has refused to execute a mineral lease, the terms of which are fair and reasonable, to the plaintiff or petitioner in the proceeding.

SECTION 2. The change in law made by this Act applies only to a proceeding commenced on or after the effective date of this Act.

SECTION 3. 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 25, 2013: Yeas 30, Nays 0; the Senate concurred in House amendment on May 15, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 10, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.