Ch. 479, § 1 83rd LEGISLATURE—REGULAR SESSION

(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.

1328
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 801.002, Occupations Code, is amended by adding Subdivisions (1-a), (4-b), (4-c), and (6-a) and amending Subdivision (4-a) to read as follows:

(1-a) “Certified veterinary assistant” means a person who has been certified as a certified veterinary assistant by the Texas Veterinary Medical Association and is employed by a licensed veterinarian.

(4-a) “Immediate supervision” means supervision by a person who is within audible and visual range of both the animal patient and the person under supervision.

(4-b) “Licensed equine dental provider” means a person who holds a license to practice equine dentistry issued under this chapter.

(4-c) “Licensed veterinary technician” means a person licensed as a veterinary technician by the board.

(6-a) “Veterinary assistant” means a person who:

(A) is employed by a licensed veterinarian;

(B) performs tasks related to animal care; and

(C) is not a certified veterinary assistant or a licensed veterinary technician.

SECTION 2. Subsections (c), (d), and (e), Section 801.151, Occupations Code, are amended to read as follows:

(c) The board shall adopt rules to:

(1) protect the public;

(2) ensure that alternate therapies, including ultrasound diagnosis and therapy, magnetic field therapy, holistic medicine, homeopathy, chiropractic treatment, acupuncture, and laser therapy, are performed only by a veterinarian or under the supervision of a veterinarian; and

(3) ensure that equine dentistry is performed only by a veterinarian who is active and in good standing or by a licensed equine dental provider who is active and in good standing under the appropriate level of supervision of a veterinarian who is active and in good standing and who has established a veterinarian-client-patient relationship with the owner or other caretaker of an animal in accordance with Section 801.351; and

(4) provide for the licensing and regulation of licensed veterinary technicians.

(d) The board may adopt rules regarding the work of a person who:

[4] works under the supervision of a veterinarian[; and]

[5] fulfills the requirements established by a board-approved organization for registered veterinary technicians.

(e) The board shall adopt rules to implement a jurisprudence examination for licensed equine dental providers and licensed veterinary technicians, including rules relating to the development and administration of the examination, examination fees, guidelines for reexamination, examination grading, and provision of notice of examination results.

SECTION 3. Subchapter D, Chapter 801, Occupations Code, is amended by adding Section 801.163 to read as follows:

Sec. 801.163. ADVISORY COMMITTEES. (a) The board may appoint advisory committees to perform advisory functions as assigned by the board.

(b) An advisory committee shall provide independent expertise on board functions and policies, but may not be involved in setting board policy.