CHAPTER 1346
S.B. No. 1195
AN ACT
relating to a contract for the acquisition of goods or services to which The University of Texas M. D. Anderson Cancer Center is a party.

Be it enacted by the Legislature of the State of Texas:
SECTION 1. Section 73.115, Education Code, is amended by adding Subsection (g) to read as follows:
(g) In any contract for the acquisition of goods or services to which the institution is a party, a provision required by applicable law to be included in the contract is considered to be a part of the executed contract without regard to:
(1) whether the provision appears on the face of the contract; or
(2) whether the contract includes any provision to the contrary.

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 11, 2013: Yeas 31, Nays 0; passed the House on May 22, 2013: Yeas 148, Nays 0, two present not voting.
Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1347
S.B. No. 1265
AN ACT
relating to the election of board members for emergency services districts in certain counties.

Be it enacted by the Legislature of the State of Texas:
SECTION 1. Subsection (h), Section 775.034, Health and Safety Code, is amended to read as follows:
(h) This section does not apply to a district located wholly in a county:
(1) with a population of more than three million;
(2) with a population of more than 200,000 that borders Lake Palestine; or
(3) with a population of less than 200,000 that borders another state and the Gulf Intracoastal Waterway.

SECTION 2. The heading to Section 775.0345, Health and Safety Code, is amended to read as follows:
Sec. 775.0345. ELECTION OF BOARD IN CERTAIN [POPULOUS] COUNTIES.

SECTION 3. Section 775.0345, Health and Safety Code, is amended by amending Subsections (a), (b), (e), (f), and (g) and adding Subsections (h-1), (d-1), and (h-1) to read as follows:
(a) This section applies only to a district located wholly in a county:
(1) with a population of more than three million;
(2) with a population of more than 200,000 that borders Lake Palestine; or
(3) with a population of less than 200,000 that borders another state and the Gulf Intracoastal Waterway.
(b) The governing body of a district consists of a five-person board of emergency services commissioners elected as prescribed by this section. Except as provided by Subsections (h) and (h-1) [Subsection (h)], emergency services commissioners serve four-year terms.

(b-1) Notwithstanding Subsection (b), the governing body of a district described by Subsection (a)(2) or (3) is governed by a five-member board of emergency services commissioners elected from single-member districts. One director is elected from each single-member district. As soon as possible after the district is created, the commissioned court of the county in which the district is located shall divide the district into five numbered single-member districts.

(d-1) Notwithstanding Subsection (d), to be eligible to be a candidate for emergency services commissioner in a single-member district on an initial board in a district described by Subsection (a)(2) or (3), a person must be at least 18 years of age and a resident of that single-member district.

(e) A candidate for emergency services commissioner on an initial board must give the voter registrar of the county a sworn notice of the candidate's intention to run for office. The notice must state the person's name, age, and address and state that the person is serving notice of intent to run for emergency services commissioner. If the person intends to run for emergency services commissioner in a single-member district in a district described by Subsection (a)(2) or (3), the notice must also specify the single-member district the person seeks to represent. On receipt of the notice, the voter registrar of the county shall have the candidate's name placed on the ballot.

(f) The voter registrar of the county shall appoint an election judge to certify the results of the election.

(g) After the election is held, the voter registrar or deputy registrar of the county shall prepare a sworn statement of the election costs incurred by the county. The statement shall be given to the newly elected board, which shall order the appropriate official to reimburse the county for the county's election costs.

(h-1) Notwithstanding Subsection (h), the five initial emergency services commissioners elected from single-member districts in a district described by Subsection (a)(2) or (3) shall draw lots to determine which two commissioners serve terms that expire on December 31 of the second year following the year in which the election was held and which three commissioners serve terms that expire on December 31 of the fourth year following the year in which the election was held.

SECTION 4. The heading to Section 775.0355, Health and Safety Code, is amended to read as follows:

Sec. 775.0355. DISQUALIFICATION OF EMERGENCY SERVICES COMMISSIONERS IN CERTAIN POPULOUS COUNTIES.

SECTION 5. Subsection (b), Section 775.0355, Health and Safety Code, is amended to read as follows:

(b) This section applies only to a district located wholly in a county:

(1) with a population of more than three million;

(2) with a population of more than 200,000 that borders Lake Palestine; or

(3) with a population of less than 200,000 that borders another state and the Gulf Intracoastal Waterway.

SECTION 6. The heading to Section 775.0445, Health and Safety Code, is amended to read as follows:

Sec. 775.0445. VACANCY ON BOARD OF DISTRICT LOCATED IN CERTAIN POPULOUS COUNTIES.

SECTION 7. Subsection (b), Section 775.0445, Health and Safety Code, is amended to read as follows:

(b) This section applies only to a district located wholly in a county:

(1) with a population of more than three million;

(2) with a population of more than 200,000 that borders Lake Palestine; or
(3) with a population of less than 200,000 that borders another state and the Gulf Intracoastal Waterway.

SECTION 8. (a) This Act does not prohibit a person who is a commissioner on the effective date of this Act and who was appointed under Section 775.034, Health and Safety Code, from running for election to the board if the person has the qualifications required for a member under Section 775.0345, Health and Safety Code, as amended by this Act.

(b) The terms of the members of a board of emergency services commissioners serving on the effective date of this Act who were appointed under Section 775.034, Health and Safety Code, before the effective date of this Act expire on the date a majority of the members of the initial board of emergency services commissioners elected under Subsection (c) of this section qualify to serve.

(c) The county judge of a county with an emergency services district to which Subdivision (2) or (3), Subsection (a), Section 775.0345, Health and Safety Code, as added by this Act, applies on the effective date of this Act and to which Section 775.034, Health and Safety Code, previously applied, shall establish an election to elect the initial emergency services commissioners of that district in the manner required by Subsections (c) through (h-1), Section 775.0345, Health and Safety Code, for election of the initial commissioners as if the district had been created on the effective date of this Act.

SECTION 9. This Act takes effect September 1, 2013.

Passed the Senate on April 16, 2013: Yeas 29, Nays 0; the Senate concurred in House amendment on May 23, 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 1348

S.B. No. 1285

AN ACT

relating to the operation of the special prosecution unit.

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

SECTION 1. Section 41.303, Government Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) The unit is governed by a board of directors composed of each prosecuting attorney who:

(1) represents the state in criminal matters before a court in a county in which one or more facilities owned or operated by or under contract with the department or the commission are located; and

(2) has entered into a memorandum of understanding with the unit for the prosecution of offenses and delinquent conduct described by Article 104.003(a), Code of Criminal Procedure.

(c) The board of directors shall meet annually for the purpose of electing the executive board and approving or amending bylaws governing the unit.

(d) A majority of the members of the board of directors constitutes a quorum for the transaction of business. The board of directors must approve any action by a majority vote of the members present.

SECTION 2. Section 41.304, Government Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) If a vacancy on the executive board occurs before the end of the vacating member's term, the executive board of directors shall elect a person to serve the remainder of the vacating member's term in the manner provided by Subsection (e). To be eligible for