The commissioner shall determine the duration of a special student recovery program, provided that the program must have a duration of at least two years. Before a program may be concluded, the district must conduct a public hearing in the community served by the school district to solicit comments from students, parents, and other members of the community regarding whether there is a continuing need for the program.

(i) The commissioner shall adopt rules necessary to implement this section.

(j) This section expires September 1, 2018.

SECTION 2. Section 39.117, Education Code, as added by this Act, authorizes or requires, as applicable, the commissioner of education to require a school district to operate a special student recovery program regardless of whether the district’s conduct giving rise to the commissioner’s action occurred before or after the effective date of this Act. The commissioner may waive operation of a program if the conduct occurred at least 10 years before 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 8, 2013: Yeas 30, Nays 1; passed the House on May 17, 2013: Yeas 134, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 732

S.B. No. 127

AN ACT

relating to the creation of certain funding formulas and policies and to certain public health evaluations by the Department of State Health Services.

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 1001.078 and 1001.079 to read as follows:

Sec. 1001.078. FUNDING FORMULA; PUBLIC HEALTH EVALUATION. (a) In this section:

(1) “Health service region” means a public health region designated under Section 121.007.

(2) “Local health department” means a local health department established under Subchapter D, Chapter 121.

(3) “Local health unit” has the meaning assigned by Section 121.004.

(4) “Public health district” means a health district established under Subchapter E, Chapter 121.

(b) The department, in collaboration with the Public Health Funding and Policy Committee established under Section 117.051, shall:

(1) develop funding formulas for federal and state funds appropriated to the department to be allocated to local health departments, local health units, public health districts, and health service regions’ regional headquarters, based on population, population density, disease burden, social determinants of health, local efforts to prevent disease, and other relevant factors as determined by the department and committee;
(2) evaluate the feasibility and benefits of placing a cap on the percentage of public health funds that can be used on administrative costs at local health departments, local health units, public health districts, and health service regions' regional headquarters; and

(3) evaluate public health functions provided by the department, local health departments, local health units, public health districts, and health service regions' regional headquarters and determine if another entity, including a private entity, can provide those functions more effectively.

Sec. 1001.079. PUBLIC HEALTH THREAT POLICY. (a) In this section, "local health department" means a local health department established under Subchapter D, Chapter 121.

(b) The department shall create a policy to allow a local health department flexibility, to the extent allowed under federal law, in the use of personnel and other resources during disaster response activities, outbreaks, and other appropriate public health threats.

SECTION 2. Not later than October 1, 2014, the Department of State Health Services shall:

(1) develop the funding formulas required by Subdivision (1), Subsection (b), Section 1001.078, Health and Safety Code, as added by this Act;

(2) submit to the governor, the lieutenant governor, the speaker of the house of representatives, and appropriate standing committees of the legislature a report on the findings required by Subdivisions (2) and (3), Subsection (b), Section 1001.078, Health and Safety Code, as added by this Act; and

(3) create the policy required by Section 1001.079, Health and Safety Code, as added by this Act.

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

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 733

S.B. No. 138

AN ACT
relating to procedures for filing complaints with, and providing notice of certain violations to, the Texas Board of Professional Geoscientists.

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

SECTION 1. Section 1002.201, Occupations Code, is amended to read as follows:

Sec. 1002.201. PUBLIC INTEREST INFORMATION. (a) The board shall:

(1) prepare information of public interest describing:

(A) the regulatory functions of the board; and

(B) the board's procedures by which complaints are filed with and resolved by the board; and

(2) make the information available to the public and appropriate state agencies.

(b) The board shall maintain on the board's Internet website:

(1) information regarding the procedure for filing a complaint with the board; and

(2) a means by which a person may electronically file a complaint with the board.

SECTION 2. Section 1002.202, Occupations Code, is amended by amending Subsection (b) and adding Subsection (d-1) to read as follows:

(b) A complaint from a member of the public must be:

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