(1) an applicant selected for employment with the department [commission];
(2) an applicant for [rehabilitation] services of the department; or
(3) a client of the department [commission].

(b) The Texas Department of Criminal Justice and the Texas Department of Public Safety upon request shall supply to the department [commission] criminal history [commission] record information relating to applicants selected for employment with the department [commission], applicants for [rehabilitation] services of the department, or clients of the department [commission]. The department [commission] shall treat all criminal history [commission] record information as privileged and confidential and for department [commission] use only.

Sec. 117.034 [2011.038]. CRIMINAL HISTORY RECORD INFORMATION: APPLICANTS FOR EMPLOYMENT. (a) The executive commissioner [board] by rule shall establish criteria for denying a person's application for employment based on criminal history [background] information obtained pursuant to Section 411.117, Government Code.

(b) The department shall treat all criminal history record information as privileged and confidential and for department use only.

SECTION 3. The following provisions are repealed:
(1) Section 411.0985, Government Code; and
(2) Section 91.0165, Human Resources Code.

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 March 13, 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.

CHAPTER 392
S.B. No. 129
AN ACT
relating to proper venue for filing an application for a protective order against family violence.

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

SECTION 1. Section 82.003, Family Code, is amended to read as follows:
Sec. 82.003. VENUE. An application may be filed in:
(1) the county in which the applicant resides; [or]
(2) the county in which the respondent resides; or
(3) any county in which the family violence is alleged to have occurred.

SECTION 2. The change in law made by this Act applies only to an application for a protective order that is filed on or after the effective date of this Act. An application for a protective order filed before the effective date of this Act is governed by the law in effect on the date the application is filed, and the former law is continued in effect for that purpose.

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 March 27, 2013: Yeas 30, Nays 0; passed the House on May 14, 2013: Yeas 143, Nays 0, two present not voting.
CHAPTER 393
S.B. No. 130

AN ACT relating to representation by prosecuting attorneys in proceedings for protective orders against family violence and in certain other actions.

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

SECTION 1. Section 81.0075, Family Code, is amended to read as follows:

Sec. 81.0075. REPRESENTATION BY PROSECUTING ATTORNEY IN CERTAIN OTHER ACTIONS. Subject to the Texas Disciplinary Rules of Professional Conduct, a [who represents a party in a proceeding under this subtitle] is not precluded from representing a party in a proceeding under this subtitle and the Department of Family and Protective Services in another [a subsequent] action involving the party, regardless of whether the proceeding under this subtitle occurs before, concurrently with, or after the other action involving the party.

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 March 27, 2013: Yeas 30, Nays 0; passed the House on May 14, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 394
S.B. No. 131

AN ACT relating to the hours of sale and consumption of wine at a winery.

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

SECTION 1. Section 105.08, Alcoholic Beverage Code, is amended to read as follows:

Sec. 105.08. HOURS OF SALE AND CONSUMPTION: WINERY. The holder of a winery permit may sell, offer for sale, and deliver wine, and a person may consume wine on the premises of a winery:

(1) between 8 a.m. and midnight on any day except Sunday; [and]
(2) between 10 a.m. and midnight on Sunday; and
(3) between midnight and 2 a.m. on New Year's Day.

SECTION 2. This Act takes effect September 1, 2013.

Passed the Senate on March 27, 2013: Yeas 30, Nays 0; passed the House on May 14, 2013: Yeas 141, Nays 2, two present not voting.

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