(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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(1) in writing;
(2) sworn to by the person making the complaint; and
(3) filed with the secretary-treasurer or electronically through the board’s Internet website.

(d-1) The board shall accept a complaint regardless of whether the complaint is notarized.

SECTION 3. Subchapter E, Chapter 1002, Occupations Code, is amended by adding Sections 1002.206 and 1002.207 to read as follows:

Sec. 1002.206. COMPLAINT EDUCATION. (a) In this section, “state agency” has the meaning assigned by Section 57.001.

(b) The board shall work with each state agency that uses the services of a person licensed under this chapter and other appropriate state agencies as determined by the board, including a state agency with which the board has entered into a memorandum of understanding that addresses the coordination of activities or complaints, to educate the agency’s employees regarding the procedures by which complaints are filed with and resolved by the board.

Sec. 1002.207. DUTY OF STATE AGENCY TO REPORT POTENTIAL VIOLATION.

(a) In this section, “state agency” has the meaning assigned by Section 57.001.

(b) A state agency that becomes aware of a potential violation of this chapter or a rule adopted under this chapter shall forward any information relating to the potential violation and any subsequently obtained information to the board.

(c) Information forwarded by a state agency under this section that is privileged or confidential remains privileged or confidential following receipt by the board. The privilege or confidentiality extends to any board communication concerning the information forwarded, regardless of the form, manner, or content of the communication.

(d) The forwarding of privileged or confidential information by a state agency does not waive a privilege in or create an exception to the confidentiality of the information.

(e) A state agency’s provision of information or failure to provide information under this section does not give rise to a cause of action against the agency.

SECTION 4. Not later than December 1, 2013, the Texas Board of Professional Geoscientists shall adopt rules necessary to implement Sections 1002.201 and 1002.202, Occupations Code, as amended by this Act, and Sections 1002.206 and 1002.207, Occupations Code, as added by this Act.

SECTION 5. 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 September 1, 2013.

CHAPTER 734

S.B. No. 147

AN ACT
relating to the amount of outstanding total liability of a mortgage guaranty insurer.

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

SECTION 1. Subsection (b), Section 3502.156, Insurance Code, is amended to read as follows:

(b) [A mortgage guaranty insurer shall compute the insurer’s liability for the purposes of this section on the basis of the insurer’s liability under the election as provided by Section 3502.158.] An insurer shall compute the insurer’s liability for leases on the basis of the insurer’s liability as determined by the department.

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