(A) on a pro rata basis to the health benefit plan issuers that paid the assessments to
the extent possible; or
(B) on another equitable basis to the extent pro rata refunds are not possible.

(e) If money paid or payable under Subsection (m), Section 843.342 and Subsection (l),
Section 1301.137, Insurance Code, is no longer necessary to finance premium discounts as
prescribed by Section 1506.260, Insurance Code, as that section existed immediately before
the effective date of this Act, the money shall be distributed and used as follows:

(1) $5 million shall be distributed to the corporation established under Chapter 182,
Health and Safety Code, to be used for a purpose provided by that chapter; and
(2) any money available after the amount required by Subdivision (1) of this subsection
has been distributed in accordance with that subdivision shall be distributed to the fund
established under Subchapter F, Chapter 1508, Insurance Code, to be used:

(A) before January 1, 2014, for a purpose provided by that subchapter; and
(B) on and after January 1, 2014, for any other purpose authorized by the commission-
er by rule to improve access to health benefit coverage for individuals without coverage.

(f) Money paid or payable under Subsection (m), Section 843.342 and Subsection (l),
Section 1301.137, Insurance Code, is subject to audit by the State Auditor's Office.

SECTION 7. DELAYED IMPLEMENTATION. The commissioner by rule may delay
the implementation of any part of Sections 1 through 6 of this Act or the pool dissolution plan
established under this Act if:

(1) the guaranteed issue of health benefit coverage is delayed;
(2) the operation of a health benefit exchange in this state is delayed; or
(3) the commissioner determines that health benefit coverage expected to be available on
a guaranteed issue basis to a class of individuals eligible for coverage under Chapter 1506,
Insurance Code, immediately before the effective date of this Act, is not reasonably
available to those individuals in this state.

SECTION 8. REPEALER. (a) Effective January 1, 2014, the following laws are re-
pealed:

(1) Subsections (a–i) and (a–2), Section 1506.007, Insurance Code;
(2) Subsections (b) and (c), Section 1506.205, Insurance Code;
(3) Subsection (b), Section 1251.255, Insurance Code; and
(4) Section 1271.305, Insurance Code.

(b) Effective September 1, 2015, Chapter 1506, Insurance Code, is repealed.

SECTION 9. EFFECTIVE DATE. 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 9, 2013: Yeas 31, Nays 0; the Senate concurred in House
amendment on May 21, 2013: Yeas 31, Nays 0; passed the House, with amend-
ment, on May 16, 2013: Yeas 126, Nays 1, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.
SECTION 1. Subsections (a) and (c), Section 421.002, Government Code, are amended to read as follows:

(a) The governor shall direct homeland security in this state and shall develop a statewide homeland security strategy that improves the state's ability to:

(1) protect against [detect and deter threats to] homeland security threats and hazards;

(2) respond to homeland security emergencies; [and]

(3) recover from homeland security emergencies;

(4) mitigate the loss of life and property by lessening the impact of future disasters; and

(5) prevent significant criminal and terrorist attacks.

(c) The governor's homeland security strategy must complement and operate in coordination with [the] federal strategic guidance on homeland security [strategy].

SECTION 2. Subsection (a), Section 421.021, Government Code, is amended to read as follows:

(a) The Homeland Security Council is composed of the governor or the governor's designee, the speaker of the house of representatives or the speaker's designee, the lieutenant governor or the lieutenant governor's designee, and one representative of each of the following entities, appointed by the single statewide elected or appointed governing officer, administrative head, or chair, as appropriate, of the entity:

(1) Department of Agriculture;

(2) office of the attorney general;

(3) General Land Office;

(4) Public Utility Commission of Texas;

(5) Department of State Health Services;

(6) Department of Information Resources;

(7) Department of Public Safety of the State of Texas;

(8) Texas Division of Emergency Management;

(9) adjutant general’s department;

(10) Texas Commission on Environmental Quality;

(11) Railroad Commission of Texas;


(13) Texas Department of Transportation;

(14) Commission on State Emergency Communications;

(15) Office of State–Federal Relations;

(16) secretary of state;

(17) the committee of the senate having jurisdiction over homeland security [Senate Committee on Transportation and Homeland Security];

(18) the committee of the house of representatives having jurisdiction over homeland security [House Committee on Defense and Veterans' Affairs];

(19) Texas Animal Health Commission;

(20) Texas Association of Regional Councils;

(21) Texas Commission on Law Enforcement Officer Standards and Education;

(22) state fire marshal’s office;

(23) Texas Education Agency;

(24) Texas Commission on Fire Protection;

(25) Parks and Wildlife Department;

(26) Texas A&M Forest Service; and

(27) Texas Water Development Board.
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 11, 2013: Yeas 31, Nays 0; passed the House on May 22, 2013: Yeas 146, Nays 2, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 617

S.B. No. 1406

AN ACT relating to State Board of Education oversight of regional education service center activities concerning certain curriculum management systems.

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

SECTION 1. Subchapter B, Chapter 8, Education Code, is amended by adding Section 8.0531 to read as follows:

Sec. 8.0531. INSTRUCTIONAL MATERIALS DEVELOPED BY A COLLABORATION OF REGIONAL EDUCATION SERVICE CENTERS. Notwithstanding any other provision of this subchapter or Section 8.001(c), instructional lessons developed as part of a curriculum management system by a regional education service center, acting alone or in collaboration with one or more other regional education service centers, shall be subject to the same review and adoption process as outlined in Section 31.022.

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 15, 2013: Yeas 29, Nays 1; passed the House on May 21, 2013: Yeas 109, Nays 38, one present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 618

S.B. No. 1459

AN ACT relating to the powers and duties of and contributions to and benefits from the systems and programs administered by the Employees Retirement System of Texas.

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

SECTION 1. Subsection (a), Section 411.1402, Government Code, is amended to read as follows:

(a) The Employees Retirement System of Texas is entitled to obtain from the department, the Federal Bureau of Investigation Criminal Justice Information Services Division, or another law enforcement agency criminal history record information maintained by the department, division, or agency that relates to a person who is:

(i) an applicant for employment with, or who is or has been employed by, the retirement system;