CHAPTER 510

S.B. No. 124

AN ACT

relating to the punishment for the offense of tampering with certain governmental records based on certain reporting for school districts and open-enrollment charter schools.

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

SECTION 1. Subdivision (2), Subsection (c), Section 37.10, Penal Code, is amended to read as follows:

(2) An offense under this section is a felony of the third degree if it is shown on the trial of the offense that the governmental record was:

(A) a public school record, report, or assessment instrument required under Chapter 39, Education Code, data reported for a school district or open-enrollment charter school to the Texas Education Agency through the Public Education Information Management System (PEIMS) described by Section 42.006, Education Code, under a law or rule requiring that reporting, or [was] a license, certificate, permit, seal, title, letter of patent, or similar document issued by government, by another state, or by the United States, unless the actor's intent is to defraud or harm another, in which event the offense is a felony of the second degree;

(B) a written report of a medical, chemical, toxicological, ballistic, or other expert examination or test performed on physical evidence for the purpose of determining the connection or relevance of the evidence to a criminal action; or

(C) a written report of the certification, inspection, or maintenance record of an instrument, apparatus, implement, machine, or other similar device used in the course of an examination or test performed on physical evidence for the purpose of determining the connection or relevance of the evidence to a criminal action.

SECTION 2. Subsection (d), Section 39.03, Penal Code, is amended to read as follows:

(d) An offense under this section is a Class A misdemeanor, except that an offense is a felony of the third degree if the public servant acted with the intent to impair the accuracy of data reported to the Texas Education Agency through the Public Education Information Management System (PEIMS) described by Section 42.006, Education Code, under a law requiring that reporting.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2013.

Passed the Senate on April 3, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 23, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 20, 2013: Yeas 145, Nays 0, one present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 511

S.B. No. 141

AN ACT

relating to the requirements for issuance of a license to practice orthotics and prosthetics.

Be it enacted by the Legislature of the State of Texas:
SECTION 1. Subsections (b) and (c), Section 605.252, Occupations Code, are amended to read as follows:

(b) The requirements for a license established by board rule must include the requirement that the applicant hold:

(1) a bachelor's or graduate degree in orthotics and prosthetics from:

(A) an education program recognized and accredited by the Commission on Accreditation of Allied Health Education Programs that is offered at an institution of higher education; or

(B) a practitioner education program that has education standards that are equivalent to or exceed the standards adopted by the Commission on Accreditation of Allied Health Education Programs; or

(2) a bachelor's degree in another subject and an orthotic or prosthetic certificate issued by a practitioner education program:

(A) recognized and accredited by the Commission on Accreditation of Allied Health Education Programs; or

(B) that has education standards that are equivalent to or exceed the standards adopted by the Commission on Accreditation of Allied Health Education Programs.

(c) To meet the clinical residency requirements for a license, the applicant must complete a professional clinical residency that meets the requirements established by board rule and is conducted under the direct supervision of a licensed orthotist, licensed prosthetist, or a licensed prosthetist orthotist in the discipline for which licensure is sought. The clinical residency requirements adopted by the board must be equivalent to or exceed the standards set by the National Commission on Orthotic and Prosthetic Education.

SECTION 2. Subsection (a), Section 605.258, Occupations Code, is amended to read as follows:

(a) The board may issue a student registration certificate to an individual who is working toward fulfilling the requirements for a license as an orthotist, prosthetist, or prosthetist orthotist and:

(1) holds either:

(A) [41] a bachelor's or graduate degree in orthotics and prosthetics from:

(i) [4A] an education program recognized and accredited by the Commission on Accreditation of Allied Health Education Programs that is offered at an institution of higher education; or

(ii) [4B] a practitioner education program that has education standards that are equivalent to or exceed the standards adopted by the Commission on Accreditation of Allied Health Education Programs; or

(B) [2] a bachelor's degree in another subject and an orthotic or prosthetic certificate issued by a practitioner education program:

(i) [4A] recognized and accredited by the Commission on Accreditation of Allied Health Education Programs; or

(ii) [4B] that has education standards that are equivalent to or exceed the standards adopted by the Commission on Accreditation of Allied Health Education Programs; or

(2) is a student who:

(A) is currently enrolled in a graduate program in this state in orthotics and prosthetics that:

(i) is recognized and accredited by the Commission on Accreditation of Allied Health Education Programs; and

(ii) incorporates a professional clinical residency that meets the requirements of rules adopted under Section 605.258(c); and
(B) submits to the board a written certification from the graduate program in which the student is enrolled that the student has successfully completed the academic prerequisites to enter a professional clinical residency.

SECTION 3. The changes in law made by this Act to Chapter 605, Occupations Code, apply only to an application for a license or student registration certificate submitted to the Texas Board of Orthotics and Prosthetics on or after January 1, 2014. An application submitted before January 1, 2014, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4. The Texas Board of Orthotics and Prosthetics shall adopt rules to implement the changes in law made by this Act not later than December 1, 2013.

SECTION 5. 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 22, 2013: Yeas 147, Nays 0, one present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 512

S.B. No. 168

AN ACT
relating to the election of members of the board of directors of the Central Texas Groundwater Conservation District.

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

SECTION 1. Subsection (b), Section 8810.051, Special District Local Laws Code, is amended to read as follows:

(b) Directors serve staggered four-year terms, with two or three directors' terms expiring at the first meeting of the board after the November election in even-numbered years and after the board has canvassed the votes and the newly elected directors have qualified for office and taken the constitutional oath [June 1 of each even-numbered year].

SECTION 2. Section 8810.053, Special District Local Laws Code, is amended to read as follows:

Sec. 8810.053. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November [May] of each even-numbered year.

SECTION 3. A director of the board of the Central Texas Groundwater Conservation District who is serving on the day before the effective date of this Act shall serve until the director's term expires. A director whose term expires in May 2014 shall continue to serve until the director's successor has qualified for office and taken the constitutional oath following the directors' election held on November 4, 2014, in accordance with Sections 8810.051 and 8810.053, Special District Local Laws Code, as amended by this Act. A director whose term expires in May 2016 shall continue to serve until the director's successor has qualified for office and taken the constitutional oath following the directors' election held on November 8, 2016.

SECTION 4. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 913, Government Code.