section (b), a chargeback may not be made to an employer's account because of payments having been made under a determination or decision to the claimant for any benefit period with regard to which the claimant is finally denied benefits by a modification or reversal of the determination or decision.

(b) A chargeback shall be made to an employer's account for benefits paid to a claimant that are not in accordance with the final determination or decision under this subtitle if the benefits were paid due to the failure of the employer, or the employer's agents, to comply with Section 208.004.

SECTION 4. The changes in law made by this Act apply only to a final determination made by the Texas Workforce Commission on or after October 1, 2013, that a person received an erroneous payment. A final determination made before that date is governed by the law in effect on the date the determination was made, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect October 1, 2013.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; passed the House on May 2, 2013: Yeas 147, Nays 0, two present not voting.

Approved May 18, 2013.

Effective October 1, 2013.

CHAPTER 120

S.B. No. 1814

AN ACT

relating to a requirement that members of the Public Safety Commission hold a secret security clearance.

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

SECTION 1. Subsection (b), Section 411.003, Government Code, is amended to read as follows:

(b) The commission is composed of five citizens of this state appointed by the governor with the advice and consent of the senate. Members must be selected because of their peculiar qualifications for the position and must reflect the diverse geographic regions and population groups of this state. Members must have and maintain a secret security clearance granted by the United States government. A member may serve on the commission upon the granting of an interim secret security clearance, but may not be given access to classified information, participate in a briefing involving classified information, or vote on an issue involving classified information until a secret security clearance has been finally approved by the United States government. Appointments to the commission shall be made without regard to race, color, disability, sex, religion, age, or national origin. In making an appointment the governor shall consider, among other things, the person's knowledge of laws, experience in the enforcement of law, honesty, integrity, education, training, and executive ability.

SECTION 2. The changes in law made by this Act apply to a member of the Public Safety Commission serving on or after 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 29, 2013: Yeas 31, Nays 0; passed the House on May 8, 2013: Yeas 139, Nays 8, two present not voting.

Approved May 18, 2013.

Effective May 18, 2013.