(3) an employee of or applicant for employment or volunteer with the Texas Department of Banking; or
(4) a contractor or subcontractor of the Texas Department of Banking.

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

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; passed the House on April 25, 2013: Yeas 136, Nays 0, two present not voting.

Filed without signature May 10, 2013.
Effective September 1, 2013.

CHAPTER 36

S.B. No. 228

AN ACT

relating to the regulation of the practice of public accountancy.

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

SECTION 1. Section 901.153, Occupations Code, is amended by adding Subsection (f) to read as follows:

(f) An enforcement committee may hold a closed meeting as provided by Section 551.090, Government Code, to investigate and deliberate a disciplinary action under Subchapter K relating to the enforcement of this chapter or board rules.

SECTION 2. Subsection (b), Section 901.457, Occupations Code, is amended to read as follows:

(b) This section does not prohibit a license holder from disclosing information that is required to be disclosed:

(1) by the professional standards for reporting on the examination of a financial statement;

(2) under a summons or subpoena under the provisions of the Internal Revenue Code of 1986 and its subsequent amendments, the Securities Act of 1933 (15 U.S.C. Section 77a et seq.) and its subsequent amendments, or the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) and its subsequent amendments, or The Securities Act (Article 581-1 et seq., Vernon's Texas Civil Statutes);

(3) under a court order signed by a judge if the order:

(A) is addressed to the license holder;

(B) mentions the client by name; and

(C) requests specific information concerning the client;

(4) in an investigation or proceeding conducted by the board;

(5) in an ethical investigation conducted by a professional organization of certified public accountants; or

(6) in the course of a peer review under Section 901.159 or in accordance with the requirements of the Public Company Accounting Oversight Board or its successor, or in the course of a practice review by another certified public accountant or certified public accountancy firm for a potential acquisition or merger of one firm with another, if both firms enter into a nondisclosure agreement with regard to all client information shared between the firms.

SECTION 3. Subchapter D, Chapter 551, Government Code, is amended by adding Section 551.090 to read as follows:

Sec. 551.090. ENFORCEMENT COMMITTEE APPOINTED BY TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY. This chapter does not require an enforcement committee appointed by the Texas State Board of Public Accountancy to conduct an open

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SECTION 4. The following sections of the Occupations Code are repealed:

(1) Subsection (c), Section 901.154; and
(2) Subsections (d) and (e), Section 901.308.

SECTION 5. The changes in law made by this Act to Section 901.308, Occupations Code, apply only to an examination administered on or after the effective date of this Act. An examination administered before that date is governed by the law in effect at the time the examination was administered, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2013.

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; passed the House on April 25, 2013: Yeas 134, Nays 2, two present not voting.

Approved May 10, 2013.
Effective September 1, 2013.

CHAPTER 37

S.B. No. 283

AN ACT relating to the number of members of the Texas Historical Commission.

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

SECTION 1. Subsections (b) and (c), Section 442.002, Government Code, are amended to read as follows:

(b) The commission is composed of nine [4] members appointed by the governor with the advice and consent of the senate. A person may not be a member of the commission if the person or the person’s spouse:

(1) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization regulated by the commission or receiving money other than grant money from the commission;
(2) uses or receives a substantial amount of tangible goods, services, or money from the commission, other than compensation or reimbursement authorized by law for commission membership, attendance, or expenses; or
(3) is employed by or participates in the management of a business entity or other organization regulated by or receiving money other than grant money from the commission.

(c) Members serve for staggered six-year terms, with the terms of [approximately] one-third of the members expiring February 1 of each odd-numbered year.

SECTION 2. (a) Two of the five positions on the Texas Historical Commission with terms scheduled to expire on February 1, 2015, are abolished on that date.

(b) Two of the six positions on the Texas Historical Commission with terms scheduled to expire on February 1, 2017, are abolished on that date.

(c) Of the six positions on the Texas Historical Commission with terms that, immediately before the effective date of this Act, are scheduled to expire on February 1, 2019, four of the positions are abolished on September 1, 2013.

(d) In appointing members to the Texas Historical Commission for terms scheduled to begin February 1, 2015, the governor shall appoint one member to the commission for a term expiring February 1, 2019, and two members to the commission for terms expiring February 1, 2021.

(e) In appointing members to the Texas Historical Commission for terms scheduled to begin February 1, 2017, the governor shall appoint one member to the commission for a term