presented to it that continued practice by the person would constitute a continuing and imminent threat to the public welfare.

(b) A license, certificate, or registration may be suspended under this section without notice or hearing on the complaint if:

(1) action is taken to initiate proceedings for a hearing before the State Office of Administrative Hearings simultaneously with the temporary suspension; and

(2) a hearing is held as soon as practicable under this chapter and Chapter 2001, Government Code.

(c) The State Office of Administrative Hearings shall hold a preliminary hearing not later than the 14th day after the date of the temporary suspension to determine if there is probable cause to believe that a continuing and imminent threat to the public welfare still exists. A final hearing on the matter shall be held not later than the 61st day after the date of the temporary suspension.

SECTION 8. Subsection (a), Section 1001.502, Occupations Code, is amended to read as follows:

(a) The amount of an administrative penalty may not exceed $5,000 [§3,000] for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.

SECTION 9. Subchapter L, Chapter 1001, Occupations Code, is amended by adding Section 1001.5511 to read as follows:

Sec. 1001.5511. CEASE AND DESIST ORDER. If it appears to the board that a person who is not licensed, certified, or registered under this chapter is violating this chapter, a rule adopted under this chapter, or another state statute or rule relating to the practice of engineering, the board, after notice and opportunity for a hearing, may issue a cease and desist order prohibiting the person from engaging in the activity.

SECTION 10. (a) Not later than December 1, 2013, the Texas Board of Professional Engineers shall adopt rules necessary to implement the changes in law made by this Act to Chapter 1001, Occupations Code.

(b) Sections 1001.3035 and 1001.3535, Occupations Code, as added by this Act, apply only to an application for a license or renewal of a license filed with the Texas Board of Professional Engineers on or after January 1, 2014. An application filed before that date 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.

(c) Subsection (a), Section 1001.502, Occupations Code, as amended by this Act, applies only to a violation that occurs on or after the effective date of this Act. A violation that occurs before that date is governed by the law in effect when the violation occurred, and the former law is continued in effect for that purpose.

SECTION 11. This Act takes effect September 1, 2013.

Passed the Senate on March 26, 2013: Yeas 31, Nays 0; passed the House on May 15, 2013: Yeas 111, Nays 31, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 403

S.B. No. 246

AN ACT

relating to the electronic submission of a request for an attorney general opinion.

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

SECTION 1. Subsection (c), Section 402.042, Government Code, is amended to read as follows:

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(c) A request for an opinion must be in writing and sent by certified or registered mail, with return receipt requested, addressed to the office of the attorney general in Austin, or electronically to an electronic mail address designated by the attorney general for the purpose of receiving requests for opinions under this section. The attorney general shall:

(1) acknowledge receipt of the request not later than the 15th day after the date that it is received; and

(2) issue the opinion not later than the 180th day after the date that it is received, unless before that deadline the attorney general notifies the requesting person in writing that the opinion will be delayed or not rendered and states the reasons for the delay or refusal.

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

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; passed the House on May 16, 2013: Yeas 144, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 404

S.B. No. 260

AN ACT
relating to the absence of a student from school to visit with a parent, stepparent, or guardian who will be or has been deployed on military duty.

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

SECTION 1. Section 25.087, Education Code, is amended by adding Subsection (b-4) and amending Subsection (d) to read as follows:

(b-4) A school district shall excuse a student whose parent, stepparent, or legal guardian is an active duty member of the uniformed services as defined by Section 162.002 and has been called to duty for, is on leave from, or immediately returned from continuous deployment of at least four months outside the locality where the parent, stepparent, or guardian regularly resides, to visit with the student's parent, stepparent, or guardian. A school district may not excuse a student under this subsection more than five days in a school year. An excused absence under this subsection must be taken:

(1) not earlier than the 60th day before the date of deployment; or

(2) not later than the 30th day after the date of return from deployment.

(d) A student whose absence is excused under Subsection (b), (b-2), (b-4), or (c) may not be penalized for that absence and shall be counted as if the student attended school for purposes of calculating the average daily attendance of students in the school district. A student whose absence is excused under Subsection (b), (b-2), (b-4), or (c) shall be allowed a reasonable time to make up school work missed on those days. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of compulsory attendance.

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 18, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 17, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 14, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.