CHAPTER 1380

H.B. No. 3792

AN ACT
relating to the intercollegiate athletics fee at Texas Southern University.

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

SECTION 1. Section 54.5223, Education Code, is amended by adding Subsection (h) to read as follows:

(h) This section expires on the next September 1 that follows the fifth anniversary of the effective date of the most recent act of the legislature amending or reenacting this section unless the legislature reenacts this section before that date.

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

Passed by the House on May 8, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Filed without signature June 14, 2013.

Effective September 1, 2013.

CHAPTER 1381

S.B. No. 329

AN ACT
relating to a prohibition on the use of a tanning facility by a minor.

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

SECTION 1. Subsections (e), (f), and (i), Section 145.008, Health and Safety Code, are amended to read as follows:

(e) Before a customer [who is 18 years of age or older] uses a tanning facility’s tanning device for the first time and each time a person executes or renews a contract to use a tanning facility, the person must provide photo identification and sign a written statement acknowledging that the person has read and understood the required warnings before using the device and agrees to use protective eyewear.

(f) To ensure the proper operation of the tanning equipment, a tanning facility may not allow;

[(4) a person younger than 18 years of age to use a tanning device unless the person’s parent or legal guardian, in person at the facility, consents in writing for the person to use the device, which may be revoked at any time].

(i) A record of each customer using a tanning device shall be maintained at the tanning facility at least until the third anniversary of the date of the customer’s last use of a tanning device. The executive commissioner of the Health and Human Services Commission by rule shall prescribe the form and content of the records. The record shall include:

(1) the date and time of the customer’s use of a tanning device;
(2) the length of time the tanning device was used;
(3) any injury or illness resulting from the use of a tanning device;
(4) any [parent or guardian consent required under Subsection (f) or any] written informed consent statement required to be signed under Subsection (e) [or (g)];
(5) the customer’s skin type, as determined by the customer by using the Fitzpatrick scale for classifying a skin type;
(6) whether the customer has a family history of skin cancer; and
(7) whether the customer has a past medical history of skin cancer.

SECTION 2. Subsection (g), Section 145.008, Health and Safety Code, is repealed.

SECTION 3. Notwithstanding Subsection (i), Section 145.008, Health and Safety Code, as amended by this Act, a tanning facility must maintain a record of the information required under Subsections (g) and (i), Section 145.008, Health and Safety Code, as that law existed before the effective date of this Act, for a customer younger than 18 years old until the third anniversary of the date of the customer's last use of a tanning device.

SECTION 4. 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 when 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 5. This Act takes effect September 1, 2013.

Passed the Senate on April 17, 2013: Yeas 25, Nays 6; passed the House on May 14, 2013: Yeas 94, Nays 48, two present not voting.

Filed without signature June 14, 2013.

Effective September 1, 2013.

CHAPTER 1382

S.B. No. 691

AN ACT

relating to the intercollegiate athletics fee at Texas A&M University—Texarkana; authorizing a fee.

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

SECTION 1. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.53975 to read as follows:

Sec. 54.53975. INTERCOLLEGIATE ATHLETICS FEES; TEXAS A&M UNIVERSITY—TEXARKANA. (a) The board of regents of The Texas A&M University System may impose on each student enrolled at Texas A&M University—Texarkana an intercollegiate athletics fee in an amount not to exceed $9 per semester credit hour for each regular semester or summer session unless the amount of the fee is increased as provided by Subsection (c).

(b) The fee may not be imposed unless approved by a majority vote of the students of the university who participate in a general student election held for that purpose.

(c) The amount of the fee per semester credit hour may be increased from one academic year to the next only if approved by a majority vote of the students participating in a general student election held for that purpose or, if the amount of the increase does not exceed five percent, by a majority vote of the legislative body of the student government of the university.

(d) A student enrolled in more than 12 semester credit hours shall pay the fee in an amount equal to the amount imposed on a student enrolled in 12 semester credit hours during the same semester or session.

(e) A fee imposed under this section may be used to develop and maintain an intercollegiate athletics program at the university.

(f) A fee imposed under this section is in addition to any other fee authorized by law and may not be considered in determining the amount of student services fees that may be imposed under Section 54.503.

(g) The fee may not be charged after the fifth academic year in which the fee is first charged unless, before the end of that academic year, the university has issued bonds payable in whole or in part from the fee, in which event the fee may not be charged after the academic year in which the bonds are first issued.