(D) possessing a firearm, unless the alleged offender is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

SECTION 5. The change in law made by this Act in amending Chapter 7A, Code of Criminal Procedure, applies only to a protective order issued on or after the effective date of this Act. A protective order issued before the effective date of this Act is governed by the law in effect on the date the order is issued, and the former law is continued in effect for that purpose.

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

Passed the Senate on April 25, 2013: Yeas 30, Nays 0; the Senate concurred in House amendments on May 22, 2013: Yeas 31, Nays 0; passed the House, with amendments, on May 16, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 521

S.B. No. 369

AN ACT
relating to certain information available to the public on a central database containing information about sex offenders.

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

SECTION 1. Subsection (b), Article 62.005, Code of Criminal Procedure, is amended to read as follows:

(b) The information contained in the database, including the numeric risk level assigned to a person under this chapter, is public information, with the exception of any information:

(1) regarding the person’s social security number or driver’s license number, or any home, work, or cellular telephone number of the person;

(2) that is described by Article 62.051(c)(7) or required by the department under Article 62.051(c)(8), including any information regarding an employer’s name, address, or telephone number; or

(3) that would identify the victim of the offense for which the person is subject to registration.

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

Passed the Senate on March 21, 2013: Yeas 31, Nays 0; passed the House on May 21, 2013: Yeas 130, Nays 11, four present not voting.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 522

S.B. No. 404

AN ACT
relating to complaints filed with the Texas State Board of Pharmacy; authorizing fees.

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

SECTION 1. Section 555.005, Occupations Code, is amended to read as follows:

Sec. 555.005. RECORDS OF COMPLAINTS. For each complaint received by the board, the board shall maintain information about parties to the complaint, including the complain-
ant’s identity, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and the disposition of the complaint.

SECTION 2. Section 555.007, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) The board may not consider or act on a complaint involving a violation alleged to have occurred more than seven years before the date the complaint is received by the board.

SECTION 3. Section 565.056, Occupations Code, is amended by amending Subsection (b) and adding Subsections (d) and (e) to read as follows:

(b) A rule adopted under this section must:

(1) provide the complainant, if applicable and permitted by law, and the license holder an opportunity to be heard; and

(2) require the presence of an attorney to advise the board or a board employee; and

(3) if an informal meeting will be held, require notice of the time and place of the informal meeting to be given to the license holder not later than the 45th day before the date the informal meeting is held.

(d) The notice required by Subsection (b)(3) must be accompanied by a written statement of the nature of the allegations against the license holder and the information the board intends to use at the informal meeting. If the board does not provide the statement or information when the notice is provided, the license holder may use that failure as grounds for rescheduling the informal meeting. The license holder must provide to the board the license holder’s rebuttal not later than the 15th day before the date of the meeting in order for that information to be considered at the meeting.

(e) On request by a license holder under review, the board shall make a recording of the informal meeting. The recording is a part of the investigative file and may not be released to a third party unless authorized under this subtitle. The board may charge the license holder a fee to cover the cost of recording the meeting. The board shall provide a copy of the recording to the license holder on the license holder’s request.

SECTION 4. Subchapter B, Chapter 565, Occupations Code, is amended by adding Section 565.060 to read as follows:

Sec. 565.060. REMEDIAL PLAN. (a) The board may issue and establish the terms of a remedial plan to resolve the investigation of a complaint relating to this subtitle.

(b) A remedial plan may not be imposed to resolve a complaint:

(1) concerning:

(A) a death;

(B) a hospitalization;

(C) the commission of a felony; or

(D) any other matter designated by board rule; or

(2) in which the appropriate resolution may involve a restriction on the manner in which a license holder practices pharmacy.

(c) The board may not issue a remedial plan to resolve a complaint against a license holder if the license holder has entered into a remedial plan with the board in the preceding 24 months for the resolution of a different complaint relating to this subtitle.

(d) If a license holder complies with and successfully completes the terms of a remedial plan, the board shall remove all records of the remedial plan from the board’s records on the fifth anniversary of the date the board issued the terms of the remedial plan.

(e) The board may assess a fee against a license holder participating in a remedial plan in an amount necessary to recover the costs of administering the plan.

(f) The board shall adopt rules necessary to implement this section.

SECTION 5. (a) Sections 555.005 and 565.056, Occupations Code, as amended by this Act, and Subsection (d), Section 555.007, Occupations Code, as added by this Act, apply only to the investigation of a complaint filed on or after the effective date of this Act. The investigation
of a complaint filed before that date is governed by the law in effect on the date the complaint was filed, and that law is continued in effect for that purpose.

(b) The Texas State Board of Pharmacy shall adopt rules under Section 565.060, Occupations Code, as added by this Act, not later than January 1, 2014.

(c) Section 565.060, Occupations Code, as added by this Act, applies only to a complaint under Subtitle J, Title 3, Occupations Code, filed on or after the effective date of this Act. A complaint under Subtitle J, Title 3, Occupations Code, filed before that date is governed by the law in effect on the date the complaint was filed, and that law is continued in effect for that purpose.

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

Passed the Senate on March 21, 2013: Yeas 31, Nays 0; passed the House on May 22, 2013: Yeas 141, Nays 7, two present not voting.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 523

S.B. No. 453

AN ACT
relating to payment of tuition to attend public schools for students holding certain United States student visas.

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

SECTION 1. Subchapter A, Chapter 25, Education Code, is amended by adding Section 25.0031 to read as follows:

Sec. 25.0031. TUITION FOR STUDENTS HOLDING CERTAIN STUDENT VISAS.
(a) Notwithstanding any other provision of this code, if a student is required, as a condition of obtaining or holding the appropriate United States student visa, to pay tuition to the school district or open-enrollment charter school that the student attends to cover the cost of the student’s education provided by the district or charter school, the district or charter school shall accept tuition for the student in an amount equal to the full unsubsidized per capita cost of providing the student’s education for the period of the student’s attendance at school in the district or at the charter school.

(b) The commissioner shall, for purposes of Subsection (a), develop guidelines for determining the amount of the full unsubsidized per capita cost of providing a student’s education. A school district or open-enrollment charter school may not accept tuition in an amount greater than the amount computed under the commissioner’s guidelines unless the commissioner approves a greater amount as a more accurate reflection of the cost of education to be provided by the district or charter school.

(c) Notwithstanding any other provision of this code, the attendance of a student for whom a school district or open-enrollment charter school accepts tuition under this section is not counted for purposes of allocating state funds to the district or charter school.

SECTION 2. This Act applies beginning with the 2013–2014 school year.

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 March 27, 2013: Yeas 30, Nays 0; passed the House on May 22, 2013: Yeas 148, Nays 0, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.