CHAPTER 728

S.B. No. 49

AN ACT
relating to transitional living assistance and appropriate care settings for children with disabilities who reside in general residential operations.

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

SECTION 1. Section 531.0244, Government Code, is amended by adding Subsection (c-i) to read as follows:

(c-i) For purposes of determining the appropriateness of transfers under Subsection (b)(3) and developing the strategies required by Subsection (b)(4), a health and human services agency shall presume the eligibility of a child residing in a general residential operation, as defined by Section 42.002, Human Resources Code, for transfer to an appropriate community-based setting.

SECTION 2. Subdivision (1), Subsection (a), Section 531.059, Government Code, is amended to read as follows:

(1) “Institutional housing” means:

(A) an ICF–MR, as defined by Section 531.002, Health and Safety Code;

(B) a nursing facility;

(C) a state hospital, state school, or state center maintained and managed by the Texas Department of Mental Health and Mental Retardation; or

(D) an institution for the mentally retarded licensed or operated by the Department of Family and Protective Services;

(E) a general residential operation, as defined by Section 42.002, Human Resources Code.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 4. 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 21, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 132, Nays 2, two present not voting.

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

CHAPTER 729

S.B. No. 62

AN ACT
relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education.

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

SECTION 1. Section 51.9192, Education Code, is amended by amending Subsections (b), (d), and (d-1) and adding Subsections (d-2), (d-3), (d-4), (d-5), (d-6), and (f) to read as follows:

(b) This section applies only to an entering student at an institution of higher education or private or independent institution of higher education. This section does not apply to a