before the effective date of this Act, and the former law is continued in effect for that purpose.

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 21, 2013: Yeas 31, 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.

CHAPTER 530

S.B. No. 499

AN ACT

relating to the determination of actual damages to enable compensation from the manufactured homeowners' recovery trust fund.

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

SECTION 1. Subsection (e), Section 1201.405, Occupations Code, is amended to read as follows:

(e) In determining the amount of actual damages under this section, the director shall make an independent inquiry as to the damages actually incurred, unless the damages have been previously established through a [by-] contested [jury] trial.

SECTION 2. The change in law made by this Act applies only to a complaint under Subsection (a), Section 1201.406, Occupations Code, that is pending on the effective date of this Act or is filed on or after the effective date of this Act. A complaint that is filed before the effective date of this Act and is not pending on the effective date of this Act is covered by the law in effect on the date the complaint was filed, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 22, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 2013: Yeas 134, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 531

S.B. No. 503

AN ACT

relating to the establishment of the Expanded Learning Opportunities Council to study and make recommendations concerning expanded learning opportunities for public school students.

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

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter G to read as follows:

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SUBCHAPTER G. EXPANDED LEARNING OPPORTUNITIES COUNCIL

Sec. 33.251. DEFINITION. In this chapter, "council" means the Expanded Learning Opportunities Council.

Sec. 33.252. EXPANDED LEARNING OPPORTUNITIES. (a) Expanded learning opportunities may be provided during:

(1) an extended school day;
(2) an extended school year; or
(3) structured learning programs outside of the regular school day, including before-and after-school programs and summer programs.

(b) Expanded learning opportunities may be provided by offering:

(1) rigorous coursework;
(2) mentoring;
(3) tutoring;
(4) physical activity;
(5) academic support; or
(6) educational enrichment in one or more subjects, including fine arts, civic engagement, science, technology, engineering, and mathematics.

Sec. 33.253. ESTABLISHMENT; PURPOSES. (a) The Expanded Learning Opportunities Council is established to:

(1) study issues concerning expanded learning opportunities for this state's public school students, including:

(A) issues related to creating safe places for children outside of the regular school day, improving the academic success of students who participate in expanded learning opportunities programs, and assisting working families; and

(B) other issues prescribed under Section 33.258; and

(2) make recommendations as provided by Section 33.259 to address issues studied under this subchapter.

(b) In conducting studies under this subchapter, the council shall focus on innovative, hands-on learning approaches that complement rather than replicate the regular school curriculum.

Sec. 33.254. SUNSET PROVISION. The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this subchapter expires September 1, 2017.

Sec. 33.255. COMPOSITION. The council is composed of 13 members appointed by the commissioner as follows:

(1) two members of the public, including one representing the business community and one parent of a public school student participating in an expanded learning opportunities program in this state;

(2) two members who are involved in research-based expanded learning opportunities efforts in this state so that at least one is involved in efforts to extend the school day or school year and at least one is involved in efforts to provide out of school time before or after the regular school day or during the period in which school is recessed for the summer;

(3) one member representing law enforcement;

(4) one member representing the agency;

(5) one member who is an educator, other than a superintendent, at the elementary school level;

(6) one member who is an educator, other than a superintendent, at the middle or junior high school level;
(7) one member who is an educator, other than a superintendent, at the high school level;

(8) one member who is a public school superintendent;

(9) one member representing a foundation that invests in expanded learning opportunities;

(10) one member representing a nonprofit organization that provides programs concerning good nutrition and prevention of or intervention to address childhood obesity; and

(11) one member who is a provider representing summer camps.

Sec. 33.256. MEETINGS. (a) The council shall meet in person at least three times each year and may hold additional meetings by conference call if necessary.

(b) Section 551.125, Government Code, applies to a meeting held by conference call under this section, except that Section 551.125(b), Government Code, does not apply.

Sec. 33.257. COMPENSATION. A member of the council may not receive compensation for service on the council.

Sec. 33.258. POWERS AND DUTIES. (a) The council shall:

(1) study issues related to expanded learning opportunities for public school students;

(2) study current research and best practices related to meaningful expanded learning opportunities;

(3) analyze the availability of and unmet needs for state and local programs for expanded learning opportunities for public school students;

(4) analyze opportunities to create incentives for businesses to support expanded learning opportunities programs for public school students;

(5) analyze opportunities to maximize charitable support for public and private partnerships for expanded learning opportunities programs for public school students;

(6) analyze opportunities to promote science, technology, engineering, and mathematics in expanded learning opportunities programs for public school students;

(7) study the future workforce needs of this state's businesses and other employers; and

(8) perform other duties consistent with this subchapter.

(b) In carrying out its powers and duties under this section, the council may request reports and other information relating to expanded learning opportunities and students in expanded learning opportunities programs from the Texas Education Agency and any other state agency.

Sec. 33.259. STATEWIDE EXPANDED LEARNING OPPORTUNITIES PLAN; REPORT. (a) The council shall develop a comprehensive statewide action plan for the improvement of expanded learning opportunities for public school students in this state, including a timeline for implementation of the plan.

(b) The council shall submit to both houses of the legislature, the governor, and the agency on or before November 1 of each even-numbered year a written report concerning:

(1) the status of the development or implementation of the council's statewide action plan, as applicable;

(2) any action taken to further development or implementation of the plan;

(3) any area that needs improvement in implementing the plan;

(4) any recommended change to the plan; and

(5) programs and services that address expanded learning opportunities outside of the regular school day.

Sec. 33.260. GIFTS, GRANTS, AND DONATIONS. The agency may accept on behalf of the council a gift, grant, or donation from any source to carry out the purposes of this subchapter.
SECTION 2. (a) The Expanded Learning Opportunities Council shall submit the initial report required under Subchapter G, Chapter 33, Education Code, as added by this Act, not later than November 1, 2014.

(b) Not later than December 31, 2013, the commissioner of education shall appoint the members of the Expanded Learning Opportunities Council under Subchapter G, Chapter 33, Education Code, as added by this Act.

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 April 18, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 22, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 2013: Yeas 125, Nays 9, two present not voting.

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

CHAPTER 532
S.B. No. 512
AN ACT relating to the specialized telecommunications assistance program.

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

SECTION 1. Section 56.001, Utilities Code, is amended by amending Subdivision (1) and adding Subdivision (2-a) to read as follows:


(2-a) “Executive commissioner” means the executive commissioner of the Health and Human Services Commission.

SECTION 2. Section 56.021, Utilities Code, is amended to read as follows:
Sec. 56.021. UNIVERSAL SERVICE FUND ESTABLISHED. The commission shall adopt and enforce rules requiring local exchange companies to establish a universal service fund to:

(1) assist telecommunications providers in providing basic local telecommunications service at reasonable rates in high cost rural areas under two plans:
(A) the Texas High Cost Universal Service Plan (16 T.A.C. Section 26.403); and
(B) the Small and Rural Incumbent Local Exchange Company Universal Service Plan (16 T.A.C. Section 26.404);
(2) reimburse the telecommunications carrier that provides the statewide telecommunications relay access service under Subchapter D;
(3) finance the specialized telecommunications assistance program established under Subchapter E;
(4) reimburse the department[the Texas Commission for the Deaf and Hard of Hearing] and the commission for costs incurred in implementing this chapter and Chapter 57;
(5) reimburse a telecommunications carrier providing lifeline service as provided by 47 C.F.R. Part 54, Subpart E, as amended;
(6) finance the implementation and administration of an integrated eligibility process created under Section 17.007 for customer service discounts relating to telecommunications services, including outreach expenses the commission determines are reasonable and necessary;