and has provided care for the child at any time during the 12 months preceding the date of
the proposed placement.

SECTION 2. Subsection (b), Section 264.755, Family Code, is amended to read as follows:

(b) Monetary assistance provided under this section must include a one-time cash payment
[of not more than $1,000] to the caregiver on the initial placement of a child or a sibling
group. The amount of the cash payment, as determined by the department, may not exceed
$1,000 for each child. The payment for placement of a sibling group must be at least $1,000
for the group, but may not exceed $1,000 for each child in the group. The cash payment must
be provided on the initial placement of each child with the caregiver and is provided to assist
the caregiver in purchasing essential child-care items such as furniture and clothing.

SECTION 3. The change in law made by this Act applies only to the placement of a child
for whom the Department of Family and Protective Services is named managing conservator
on or after the effective date of this Act.

SECTION 4. The change in law made by this Act to Subsection (b), Section 264.755,
Family Code, does not make an appropriation or require a specific appropriation. The new
duty imposed on the Department of Family and Protective Services as a result of the changes
to that section must be performed through the appropriations provided by the legislature as
part of the existing responsibilities of the department.

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

Passed the Senate on April 4, 2013: Yeas 31, Nays 0; passed the House on May 17,
2013: Yeas 134, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 427

S.B. No. 529

AN ACT
relating to the creation of the offense of installation, transfer, use, or possession of an automated sales
suppression device or phantom-ware.

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

SECTION 1. Subtitle B, Title 10, Business & Commerce Code, is amended by adding
Chapter 326 to read as follows:

CHAPTER 326. AUTOMATED SALES SUPPRESSION
DEVICES; PHANTOM-WARE

Sec. 326.001. DEFINITIONS. In this chapter:

(1) “Automated sales suppression device” means a device or software program that
falsifies an electronic record, including transaction data or a transaction report, of an
electronic cash register or other point-of-sale system. The term includes a device that
carries the software program or an Internet link to the software program.

(2) “Electronic cash register” means a device or point-of-sale system that maintains a
register or documentation through an electronic device or computer system that is
designed to record transaction data for the purpose of computing, compiling, or processing
retail sales transaction data.

(3) “Phantom-ware” means a hidden programming option that is embedded in the
operating system of an electronic cash register or hardwired into an electronic cash
register and that may be used to create a second set of transaction reports or to eliminate
or manipulate an original transaction report, which may or may not be preserved in a
(4) "Transaction data" includes data identifying an item purchased by a customer, a price for an item, a taxability determination for an item, a segregated tax amount for an item, an amount of cash or credit tendered for an item, a net amount of cash returned to a customer who purchased an item, a date or time of a purchase, a receipt or invoice number for a transaction, and a vendor's name, address, or identification number.

(5) "Transaction report" means a report that:

(A) contains documentation of each sale, amount of tax or fee collected, media total, or discount void at an electronic cash register and that is printed on a cash register tape at the end of a day or a shift; or

(B) documents every action at an electronic cash register and is stored electronically.

Sec. 326.002. AUTOMATED SALES SUPPRESSION DEVICES AND PHANTOM-WARE PROHIBITED; CRIMINAL OFFENSE. (a) A person commits an offense if the person knowingly sells, purchases, installs, transfers, uses, or possesses an automated sales suppression device or phantom-ware.

(b) An offense under this section is a state jail felony.

SECTION 2. Subdivision (2), Article 59.01, Code of Criminal Procedure, is amended to read as follows:

(2) "Contraband" means property of any nature, including real, personal, tangible, or intangible, that is:

(A) used in the commission of:

(i) any first or second degree felony under the Penal Code;

(ii) any felony under Section 15.031(b), 20.05, 21.11, 38.04, or Chapter 43, 20A, 29, 30, 31, 32, 33, 33A, or 35, Penal Code;

(iii) any felony under The Securities Act (Article 581-1 et seq., Vernon's Texas Civil Statutes); or

(iv) any offense under Chapter 49, Penal Code, that is punishable as a felony of the third degree or state jail felony, if the defendant has been previously convicted three times of an offense under that chapter;

(B) used or intended to be used in the commission of:

(i) any felony under Chapter 481, Health and Safety Code (Texas Controlled Substances Act);

(ii) any felony under Chapter 483, Health and Safety Code;

(iii) a felony under Chapter 153, Finance Code;

(iv) any felony under Chapter 34, Penal Code;

(v) a Class A misdemeanor under Subchapter B, Chapter 365, Health and Safety Code, if the defendant has been previously convicted twice of an offense under that subchapter;

(vi) any felony under Chapter 152, Finance Code;

(vii) any felony under Chapter 32, Human Resources Code, or Chapter 31, 32, 35A, or 37, Penal Code, that involves the state Medicaid program;

(viii) a Class B misdemeanor under Chapter 522, Business & Commerce Code;

(ix) a Class A misdemeanor under Section 306.051, Business & Commerce Code;

(x) any offense under Section 42.10, Penal Code;

(xi) any offense under Section 46.06(a)(1) or 46.14, Penal Code;

(xii) any offense under Chapter 71, Penal Code; [or]

(xiii) any offense under Section 20.05, Penal Code; or

(xiv) an offense under Section 326.002, Business & Commerce Code;
(C) the proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision, a misdemeanor listed in Paragraph (B)(viii), (x), (xi), or (xii) of this subdivision, or a crime of violence;

(D) acquired with proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision, a misdemeanor listed in Paragraph (B)(viii), (x), (xi), or (xii) of this subdivision, or a crime of violence;

(E) used to facilitate or intended to be used to facilitate the commission of a felony under Section 15.031 or 43.25, Penal Code; or

(F) used to facilitate or intended to be used to facilitate the commission of a felony under Section 20A.02 or Chapter 43, Penal Code.

SECTION 3. This Act takes effect September 1, 2013.
Passed the Senate on March 13, 2013: Yeas 31, Nays 0; passed the House on May 14, 2013: Yeas 143, Nays 0, two present not voting.
Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 428
S.B. No. 531
AN ACT
relating to self-insurance funds established by governmental units.

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

SECTION 1. Section 2259.031, Government Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The governmental unit may purchase reinsurance for a risk covered through the fund.

(d) Any law, including a regulation, requiring insurance may be satisfied by coverage provided through the fund.

(e) Any law, including a regulation, requiring a certificate of insurance or an insurance agent’s signature, countersignature, or approval may be satisfied by a certificate of coverage issued on behalf of the governmental unit demonstrating that coverage is provided through the fund.

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 17, 2013: Yeas 134, Nays 0, two present not voting.
Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 429
S.B. No. 546
AN ACT
relating to continuing education requirements and a registration exemption for county tax assessor-collectors.

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

SECTION 1. Subchapter B, Chapter 6, Tax Code, is amended by adding Section 6.231 to read as follows: