SECTION 4. The change in law made by this Act to Section 166.164, Health and Safety Code, does not affect the validity of a document executed under that section before the effective date of this section. A document executed before the effective date of this section is governed by the law in effect on the date the document was executed, and that law continues in effect for that purpose.

SECTION 5. The change in law made by this Act to Section 166.165, Health and Safety Code, applies to an action brought under that section on or after the effective date of this Act, regardless of whether the power of attorney was executed before, on, or after the effective date of this Act.

SECTION 6. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2013.

(b) Sections 1 and 4 of this Act take effect January 1, 2014.

Passed the Senate on April 25, 2013: Yeas 30, Nays 0; passed the House on May 8, 2013: Yeas 146, Nays 1, two present not voting.

Approved May 24, 2013.

Effective September 1, 2013, except as provided in § 6(b).

CHAPTER 135

S.B. No. 654

AN ACT
relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement; providing civil penalties.

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

SECTION 1. Section 54.012, Local Government Code, is amended to read as follows:

Sec. 54.012. CIVIL ACTION. A municipality may bring a civil action for the enforcement of an ordinance:

(1) for the preservation of public safety, relating to the materials or methods used to construct a building or other structure or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(2) relating to the preservation of public health or to the fire safety of a building or other structure or improvement, including provisions relating to materials, types of construction or design, interior configuration, illumination, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) for zoning that provides for the use of land or classifies a parcel of land according to the municipality's district classification scheme;

(4) establishing criteria for land subdivision or construction of buildings, including provisions relating to street width and design, lot size, building width or elevation, setback requirements, or utility service specifications or requirements;

(5) implementing civil penalties under this subchapter for conduct classified by statute as a Class C misdemeanor;

(6) relating to dangerously damaged or deteriorated structures or improvements;

(7) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;

(8) relating to the interior configuration, design, illumination, or visibility of business premises exhibiting for viewing by customers while on the premises live or mechanically or electronically displayed entertainment intended to provide sexual stimulation or sexual gratification; [sw]

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(9) relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the municipality;

(10) relating to animal care and control; or

(11) relating to water conservation measures, including watering restrictions.

SECTION 2. Section 54.032, Local Government Code, is amended to read as follows:

Sec. 54.032. ORDINANCES SUBJECT TO QUASI-JUDICIAL ENFORCEMENT. This subchapter applies only to ordinances:

(1) for the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(2) relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) relating to dangerously damaged or deteriorated buildings or improvements;

(4) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; [see]

(5) relating to a building code or to the condition, use, or appearance of property in a municipality;

(6) relating to animal care and control; or

(7) relating to water conservation measures, including watering restrictions.

SECTION 3. The changes in law made by this Act apply only to a violation of a municipal ordinance that occurs on or after the effective date of this Act.

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

Passed the Senate on April 4, 2013: Yeas 31, Nays 0; passed the House on May 9, 2013: Yeas 88, Nays 53, two present not voting.

Approved May 24, 2013.

Effective September 1, 2013.

CHAPTER 136

S.B. No. 245

AN ACT

relating to eligibility of children’s advocacy centers for contracts to provide services for children and family members in child abuse and neglect cases.

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

SECTION 1. Section 264.411, Family Code, is amended to read as follows:

Sec. 264.411. ELIGIBILITY FOR CONTRACTS. (a) A public entity that operated as a center under this subchapter before November 1, 1995, or a nonprofit entity is eligible for a contract under Section 264.410 if the entity:

(1) has a signed memorandum of understanding as provided by Section 264.403;

(2) operates under the authority of a governing board as provided by Section 264.404;

(3) has a multidisciplinary team of persons involved in the investigation or prosecution of child abuse cases or the delivery of services as provided by Section 264.406;

(4) holds regularly scheduled case reviews as provided by Section 264.406;

(5) operates in a neutral and physically separate space from the day-to-day operations of any public agency partner;

(6) has a multidisciplinary team of persons involved in the investigation or prosecution of child abuse cases;

(7) holds regularly scheduled case reviews as provided by Section 264.406;

(8) operates in a neutral and physically separate space from the day-to-day operations of any public agency partner;