year. The state convention consists of delegates selected at the county conventions held under Subsection (c).

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 April 17, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 577

S.B. No. 818

AN ACT

relating to boll weevil eradication activities and programs.

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

SECTION 1. Section 74.112, Agriculture Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f) If 30 percent or more of the cotton growers eligible to vote within a zone participating in the program present to the commissioner a petition calling for a referendum of the qualified voters on the proposition of discontinuing the program, the commissioner may conduct a referendum for that purpose if:

(1) the debt of the zone has been paid in full; and

(2) the foundation determines, and the commissioner approves the foundation’s determination, that the cotton growers in the zone have paid more than one-half of the eradication program funds collected by the foundation and used for the eradication program in the zone from the date of the program’s inception until the date the petition is presented to the commissioner.

(f-1) The commissioner may not conduct a referendum under Subsection (f) and shall return the petition if the commissioner determines that the requirements of Subsection (f)(1) or (2) are not satisfied.

SECTION 2. Subsection (k), Section 74.113, Agriculture Code, is amended to read as follows:

(k) The foundation may prepare and mail billing statements to each cotton grower subject to the assessment that state the amount due and the due date. The assessments shall be remitted to the foundation.

SECTION 3. Section 74.122, Agriculture Code, is amended to read as follows:

Sec. 74.122. QUARANTINE. (a) The department may adopt rules relating to quarantining areas of this state that are infested with the boll weevil or the pink bollworm. The rules must address the storage of regulated articles and the movement of regulated articles into and out of a quarantined area. The department may also adopt rules governing the movement of regulated articles from other states into this state if the articles are known to be infested with the boll weevil or the pink bollworm.

(b) The department shall adopt rules to prohibit the movement of cotton and regulated articles from an area infested with the boll weevil if the area is not participating in the boll weevil eradication program under this subchapter.

SECTION 4. Subsection (a), Section 74.124, Agriculture Code, is amended to read as follows:
(a) The foundation may carry out programs to destroy and eliminate the boll weevil and the pink bollworm in this state by cooperating through written agreements, as approved by the commissioner, with:

1. an agency of the federal government;
2. a state agency;
3. an appropriate agency of a foreign country contiguous to the affected area to the extent allowed by federal law;
4. a person who is engaged in growing, processing, marketing, or handling cotton;
5. a group of persons in this state involved in similar programs to carry out the purposes of this subchapter;
6. an appropriate state agency of another state contiguous to the affected area, to the extent allowed by federal law, the law of the contiguous state, and the law of this state; or
7. an appropriate association of cotton producers or boll weevil foundations in more than one state, for the purpose of facilitating cooperation with and funding assistance to this state to protect against reinfestation with the boll weevil.

SECTION 5. Subsection (b), Section 74.202, Agriculture Code, is amended to read as follows:

(b) An eradication zone is eligible for inclusion in a maintenance area if:

1. the commissioner determines that the boll weevil has been functionally eradicated in that zone;
2. the zone has satisfied any debt owed to the foundation;
3. the cotton grower steering committee has been consulted regarding the inclusion of the zone in a maintenance area; and
4. the foundation requests the inclusion of the zone in a maintenance area.

SECTION 6. Subsection (b), Section 74.203, Agriculture Code, is amended to read as follows:

(b) The maintenance fee must be collected on a per-acre or per-bale basis at a rate to be set by the commissioner after receiving a recommendation from the board. The board shall consult with cotton grower steering committees [and the technical advisory committee] in formulating a recommendation to the commissioner under this subsection. The commissioner may accept, reject, or modify a board recommendation.

SECTION 7. Subchapter F, Chapter 74, Agriculture Code, is amended by adding Section 74.2035 to read as follows:

Sec. 74.2035. TRANSFER OF FUNDS BETWEEN ERADICATION ZONES AND MAINTENANCE AREAS. Notwithstanding any provision of this subchapter or Subchapter D, with the approval of the board and the commissioner, the foundation may transfer funds, including the proceeds from the collection of assessments or maintenance fees, between active eradication zones and maintenance areas as needed to fulfill the purposes of this subchapter and Subchapter D. The board shall consult with affected cotton grower steering committees before recommending that the commissioner approve the transfer of funds under this section.

SECTION 8. Subsection (f), Section 74.105, and Subsection (b), Section 74.1135, Agriculture Code, are repealed.

SECTION 9. Section 74.2035, Agriculture Code, as added by this Act, applies to the transfer of funds by the Texas Boll Weevil Eradication Foundation without regard to whether the funds consist of assessments or maintenance fees collected before, on, or after the effective date of this Act.

SECTION 10. 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 4, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 134, Nays 0, two present not voting.
CHAPTER 578

S.B. No. 831

AN ACT
relating to a list of mental health, substance abuse, and suicide prevention programs that may be selected for implementation by public schools.

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

SECTION 1. The heading to Subchapter 0-1, Chapter 161, Health and Safety Code, is amended to read as follows:

SUBCHAPTER 0-1. [EARLY MENTAL HEALTH, SUBSTANCE ABUSE, INTERVENTION, AND PREVENTION OF] YOUTH SUICIDE

SECTION 2. The heading to Section 161.325, Health and Safety Code, is amended to read as follows:

Sec. 161.325. [EARLY] MENTAL HEALTH PROMOTION AND INTERVENTION, SUBSTANCE ABUSE PREVENTION AND INTERVENTION, AND SUICIDE PREVENTION.

SECTION 3. Section 161.325, Health and Safety Code, is amended by amending Subsections (a), (b), (d), (e), and (i) and adding Subsections (a-i) and (a-2) to read as follows:

(a) The department, in coordination with the Texas Education Agency and regional education service centers, shall provide and annually update a list of recommended best practice-based programs in the areas specified under Subsection (a-i) [early mental health intervention and suicide prevention programs] for implementation in public elementary, junior high, middle, and high schools within the general education setting. Each school district may select from the list a program or programs appropriate for implementation in the district.

(a-i) The list must include programs in the following areas:

(1) early mental health intervention;
(2) mental health promotion and positive youth development;
(3) substance abuse prevention;
(4) substance abuse intervention; and
(5) suicide prevention.

(a-2) The department, the Texas Education Agency, and each regional education service center shall make the list easily accessible on their websites.

(b) The programs on the list must include components that provide for training counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to:

(1) recognize students at risk of committing suicide, including students who are or may be the victims of or who engage in bullying;
(2) recognize students displaying early warning signs and a possible need for early mental health or substance abuse intervention, which warning signs may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others; and
(3) intervene effectively with students described by Subdivision (1) or (2) by providing notice and referral to a parent or guardian so appropriate action, such as seeking mental health or substance abuse services, may be taken by a parent or guardian.