appeal procedure to the Board of Disciplinary Appeals and the supreme court under the substantial evidence rule;
(8) an administrative system for reciprocal and compulsory discipline;
(9) interim suspension of an attorney posing a threat of immediate irreparable harm to a client;
(10) authorizing all parties to an attorney disciplinary hearing, including the complainant, to be present at all hearings at which testimony is taken and requiring notice of those hearings to be given to the complainant not later than the seventh day before the date of the hearing;
(11) the commission adopting rules that govern the use of private reprimands by grievance committees and that prohibit a committee:
   (A) giving an attorney more than one private reprimand within a five-year period for a violation of the same disciplinary rule; or
   (B) giving a private reprimand for a violation:
      (i) that involves a failure to return an unearned fee, a theft, or a misapplication of fiduciary property; or
      (ii) of a disciplinary rule that requires a prosecutor to disclose to the defense all evidence or information known to the disclosure rule that requires a prosecutor to disclose to the defense all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, including Rule 3.09(d), Texas Disciplinary Rules of Professional Conduct; and
(12) distribution of a voluntary survey to all complainants urging views on grievance system experiences.

(b-1) In establishing minimum standards and procedures for the attorney disciplinary and disability system under Subsection (b), the supreme court must ensure that the statute of limitations applicable to a grievance filed against a prosecutor that alleges a violation of the disclosure rule does not begin to run until the date on which a wrongfully imprisoned person is released from a penal institution.

(b-2) For purposes of Subsection (b-1):
(1) “Disclosure rule” means the disciplinary rule that requires a prosecutor to disclose to the defense all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, including Rule 3.09(d), Texas Disciplinary Rules of Professional Conduct.
(2) “Penal institution” has the meaning assigned by Article 62.001, Code of Criminal Procedure.
(3) “Wrongfully imprisoned person” has the meaning assigned by Section 501.101.

SECTION 2. As soon as practicable after the effective date of this Act but not later than December 1, 2013, the Texas Supreme Court shall amend the Texas Rules of Disciplinary Procedure to conform with Section 81.072, Government Code, as amended by this Act.

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

Passed the Senate on March 26, 2013: Yeas 31, Nays 0; passed the House on May 14, 2013: Yeas 147, Nays 0, one present not voting.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 451
S.B. No. 828
AN ACT
relating to the marketing of certain alcoholic beverages by manufacturers and their agents; providing for a permitting fee.

1276
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 11.72, Alcoholic Beverage Code, is amended to read as follows:

Sec. 11.72. DISCIPLINE FOR ACTIONS OF AGENT. The commission or administrator may suspend or revoke the permit of a person who is represented by the holder of an agent's permit under [as described by] Section 15.01, 35.01, or 36.01 or otherwise discipline the person based on an act or omission of the holder of the agent's permit only if an individual employed by the person in a supervisory position:

1. was directly involved in the act or omission of the holder of the agent's permit;
2. had notice or knowledge of the act or omission; or
3. failed to take reasonable steps to prevent the act or omission.

SECTION 2. Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 15 to read as follows:

CHAPTER 15. DISTILLER'S AGENT'S PERMIT

Sec. 15.01. AUTHORIZED ACTIVITIES. The holder of a distiller's agent's permit may:
1. represent the holder of a distiller's and rectifier's permit;
2. solicit and take orders from a holder of a wholesaler's permit for the sale of distilled spirits manufactured by the permit holder represented by the agent; and
3. conduct free distilled spirits tastings for consumers on the premises of the holder of a package store permit.

Sec. 15.02. FEE. The annual state fee for a distiller's agent's permit is $10.

Sec. 15.03. EVIDENCE OF AGENCY OR EMPLOYMENT REQUIRED. A distiller's agent's permit may not be issued to a person until the person shows to the satisfaction of the commission that the person has been employed by or authorized to act as the agent of the permit holder the person proposes to represent.

Sec. 15.04. SOLICITATION FROM HOLDER OF MIXED BEVERAGE OR PRIVATE CLUB PERMIT. A holder of a distiller's agent's permit may not solicit business directly or indirectly from a holder of a mixed beverage permit or a private club registration permit unless the distiller's agent is accompanied by the holder of a wholesaler's permit or the wholesaler's agent.

Sec. 15.05. UNAUTHORIZED REPRESENTATION. A holder of a distiller's agent's permit in soliciting or taking orders for the sale of liquor may not represent that the permit holder is an agent of any person other than the person designated in the permit holder's application.

Sec. 15.06. GRACE PERIOD. A person may engage in the activities specified in Section 15.01 for an initial grace period of five days during which the person shall procure a distiller's agent's permit from the commission.

SECTION 3. Chapter 36, Alcoholic Beverage Code, is amended by adding Section 36.09 to read as follows:

Sec. 36.09. GRACE PERIOD. A person may engage in the activities specified in Section 36.01 for an initial grace period of five days during which the person shall procure a manufacturer's agent's permit from the commission.

SECTION 4. Subsection (m), Section 52.01, Alcoholic Beverage Code, is amended to read as follows:

(m) The holder of a distiller's or rectifier's permit, distiller's agent's permit, nonresident seller's permit, or manufacturer's agent's permit or that permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a retailer's premises and may open, touch, or pour alcoholic beverages, make a presentation, or answer questions at the tasting. Any alcoholic beverage tasted under this subsection must be purchased from the package store permit holder on whose premises the tasting is held. The permit holder may not require the purchase of more alcoholic beverages than are necessary for the tasting. This section does not authorize the holder of a distiller's or rectifier's permit, distiller's
agent's permit, nonresident seller's permit, or manufacturer's agent's permit to withdraw or purchase an alcoholic beverage from the holder of a wholesaler's permit or provide an alcoholic beverage for tasting on a retailer's premises that is not purchased from the retailer.

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 14, 2013: Yeas 139, Nays 4, two present not voting.
Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 452
S.B. No. 845
AN ACT
relating to the use of e-mail and website technology by the Texas Department of Licensing and Regulation.

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

SECTION 1. Section 51.207, Occupations Code, is amended to read as follows:
Sec. 51.207. USE OF TECHNOLOGY. (a) The commission shall develop and implement a policy requiring the executive director and department employees to research and propose appropriate technological solutions to improve the department's ability to perform its functions. The technological solutions must:
(1) ensure that the public is able to easily find information about the department on the Internet;
(2) ensure that persons who want to use the department's services are able to:
(A) interact with the department through the Internet; and
(B) access any service that can be provided effectively through the Internet; and
(3) be cost-effective and developed through the department's planning processes.
(b) The department shall provide on its Internet website a link to an Internet website that allows the public to track legislation affecting the programs administered by the department, which may be a website that provides legislative information administered by the Texas Legislature.
(c) The department may satisfy any requirement under this chapter or another law governing a program subject to regulation by the department to provide notice by delivering the notice by e-mail to the recipient's last known e-mail address if the recipient has previously authorized the department to deliver the notice by e-mail. An e-mail address used under this subsection is confidential and is not subject to disclosure under Chapter 552, Government Code.

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 453
S.B. No. 848
AN ACT
relating to assignment of rents to holders of certain security interests in real property.