The classroom instruction part of the handgun proficiency course must include not less than four [at least 10] hours and not more than six [15] hours of instruction on:

(1) the laws that relate to weapons and to the use of deadly force;
(2) handgun use (proficiency) and safety;
(3) nonviolent dispute resolution; and
(4) proper storage practices for handguns with an emphasis on storage practices that eliminate the possibility of accidental injury to a child.

(j) For license holders seeking to renew their licenses, the department may offer online, or allow a qualified handgun instructor to offer online, the classroom instruction part of the handgun proficiency [continuing education instruction] course and the written section of the proficiency examination [required to renew a license].

SECTION 3. Subsection (e), Section 411.188, Government Code, is repealed.

SECTION 4. The change in law made by this Act applies only to an application to obtain or renew a license to carry a concealed handgun submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

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

Passed the Senate on April 18, 2013: Yeas 30, Nays 1; the Senate concurred in House amendments on May 9, 2013: Yeas 29, Nays 1; passed the House, with amendments, on May 6, 2013: Yeas 116, Nays 30, one present not voting.

Approved May 24, 2013.

Effective September 1, 2013.

CHAPTER 157

S.B. No. 878

AN ACT

relating to the disposition of proceeds and property from criminal asset forfeiture.

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

SECTION 1. Article 59.06, Code of Criminal Procedure, is amended by amending Subsections (c) and (c-1) and adding Subsections (d-3) and (d-4) to read as follows:

(c) If a local agreement exists between the attorney representing the state and law enforcement agencies, all money, securities, negotiable instruments, stocks or bonds, or things of value, or proceeds from the sale of those items, shall be deposited, after the deduction of court costs to which a district court clerk is entitled under Article 59.05(f), according to the terms of the agreement into one or more of the following funds:

(1) a special fund in the county treasury for the benefit of the office of the attorney representing the state, to be used by the attorney solely for the official purposes of his office;
(2) a special fund in the municipal treasury if distributed to a municipal law enforcement agency, to be used solely for law enforcement purposes, such as salaries and overtime pay for officers, officer training, specialized investigative equipment and supplies, and items used by officers in direct law enforcement duties;
(3) a special fund in the county treasury if distributed to a county law enforcement agency, to be used solely for law enforcement purposes; or
(4) a special fund in the state law enforcement agency if distributed to a state law enforcement agency, to be used solely for law enforcement purposes.

(c-1) Notwithstanding Subsection (a), the attorney representing the state and special rangers of the Texas and Southwestern Cattle Raisers Association who meet the require-
ments of Article 2.125 may enter into a local agreement that allows the attorney representing the state to transfer proceeds from the sale of forfeited property described by Subsection (c), after the deduction of court costs as described by that subsection, to a special fund established for the special rangers. Proceeds transferred under this subsection must be used by the special rangers solely for law enforcement purposes, such as training, essential equipment, and operating expenses. Any expenditures of the proceeds are subject to the audit provisions established under this article.

(d-3) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for a law enforcement purpose if the expenditure is made for an activity of a law enforcement agency that relates to the criminal and civil enforcement of the laws of this state, including an expenditure made for:

1. equipment, including vehicles, computers, firearms, protective body armor, furniture, software, uniforms, and maintenance equipment;
2. supplies, including office supplies, mobile phone and data account fees for employees, and Internet services;
3. investigative and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;
4. conferences and training expenses, including fees and materials;
5. investigative costs, including payments to informants and lab expenses;
6. crime prevention and treatment programs;
7. facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;
8. witness-related costs, including travel and security;
9. audit costs and fees, including audit preparation and professional fees.

(d-4) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for an official purpose of an attorney’s office if the expenditure is made for an activity of an attorney or office of an attorney representing the state that relates to the preservation, enforcement, or administration of the laws of this state, including an expenditure made for:

1. equipment, including vehicles, computers, visual aid equipment for litigation, firearms, body armor, furniture, software, and uniforms;
2. supplies, including office supplies, legal library supplies and access fees, mobile phone and data account fees for employees, and Internet services;
3. prosecution and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;
4. conferences and training expenses, including fees and materials;
5. investigative costs, including payments to informants and lab expenses;
6. crime prevention and treatment programs;
7. facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;
8. legal fees, including court costs, witness fees, and related costs, including travel and security, audit costs, and professional fees; and
9. state bar and legal association dues.

SECTION 2. The changes in law made by this Act apply to the disposition or use, on or after the effective date of this Act, of proceeds or property received by a law enforcement agency or attorney representing the state under Chapter 59, Code of Criminal Procedure, regardless of whether the receipt of the proceeds or property occurred before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2013.
Passed the Senate on April 25, 2013: Yeas 28, Nays 0; passed the House on May 9, 2013: Yeas 140, Nays 3, two present not voting.
relating to certain correction instruments in the conveyance of real property.

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

SECTION 1. Section 5.028, Property Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A person who has personal knowledge of facts relevant to the correction of a recorded original instrument of conveyance may prepare or execute a correction instrument to make a nonmaterial change that results from a clerical error, including:

(1) a correction of an inaccurate or incorrect element in a legal description, such as a distance, angle, direction, bearing or chord, a reference to a plat or other plat information, a lot or block number, a unit, building designation, or section number, an appurtenant easement, a township name or number, a municipality, county, or state name, a range number or meridian, a certified survey map number, or a subdivision or condominium name; or

(2) an addition, correction, or clarification of:
   (A) a party's name, including the spelling of a name, a first or middle name or initial, a suffix, an alternate name by which a party is known, or a description of an entity as a corporation, company, or other type of organization;
   (B) a party's marital status;
   (C) the date on which the conveyance was executed;
   (D) the recording data for an instrument referenced in the correction instrument; or
   (E) a fact relating to the acknowledgment or authentication.

(a-1) A person who has personal knowledge of facts relevant to the correction of a recorded original instrument of conveyance may prepare or execute a correction instrument to make a nonmaterial change that results from an inadvertent error, including the addition, correction, or clarification of:

(1) a legal description prepared in connection with the preparation of the original instrument but inadvertently omitted from the original instrument; or

(2) an omitted call in a metes and bounds legal description in the original instrument that completes the description of the property.

SECTION 2. Section 5.030, Property Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A correction instrument replaces and is a substitute for the original instrument. Except as provided by Subsection (c), a bona fide purchaser of property that is subject to a correction instrument may rely on the instrument against any person making an adverse or inconsistent claim.

(c) A correction instrument is subject to the property interest of a creditor or a subsequent purchaser for valuable consideration without notice acquired on or after the date the original instrument was acknowledged, sworn to, or proved and filed for record as required by law and before the correction instrument has been acknowledged, sworn to, or proved and filed for record as required by law.

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

Passed the Senate on April 17, 2013: Yeas 31, Nays 0; passed the House on May 8, 2013: Yeas 147, Nays 0, two present not voting.