S.B. No. 895
AN ACT relating to access to records of a nonprofit organization supporting the Cancer Prevention and Research Institute of Texas under the public information law.

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

SECTION 1. Section 102.262, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) The records of a nonprofit organization established to provide support to the institute are public information subject to Chapter 552, Government Code.

SECTION 2. 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 16, 2013: Yeas 29, Nays 0; passed the House on May 20, 2013: Yeas 146, Nays 0, one present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

S.B. No. 1033
AN ACT relating to the registration and use of marks, including trademarks and service marks.

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

SECTION 1. Section 16.002, Business & Commerce Code, is amended to read as follows:

Sec. 16.002. INAPPLICABILITY OF CHAPTER. (a) This chapter does not apply to the registration or use of a livestock brand or other indicia of ownership of goods that do not qualify as a mark.

(b) Except as provided by this subsection, a trade name is not registrable under this chapter. If a trade name is also a service mark or trademark, the trade name is registrable as a service mark or trademark.

SECTION 2. Subsection (c), Section 16.003, Business & Commerce Code, is amended to read as follows:

(c) Use of a mark made merely to reserve a right in the mark is not considered to be a bona fide use of a mark for purposes of this chapter.

SECTION 3. Subsection (b), Section 16.059, Business & Commerce Code, is amended to read as follows:

(b) The registration of a mark under this chapter may be renewed for an additional five-year term by filing a renewal application in the manner prescribed by the secretary of state and paying a renewal fee not earlier than the 180th day before the date the registration expires.

SECTION 4. The change in law made by this Act to Subsection (b), Section 16.059, Business & Commerce Code, applies only to a renewal application filed on or after the effective date of this Act. A renewal application filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

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