(1) the political party is making nominations by primary election for the general election in which the vacancy is to be filled; and

(2) the vacancy occurs on or before the fifth [62nd] day before the date of the regular deadline for candidates to file applications for a place on the general primary ballot [general primary election day].

(c) If the vacancy occurs after the 10th day before the date of the regular filing deadline, an application for the unexpired term must be filed not later than 6 [5] p.m. of the fifth day after the date the vacancy occurs or 5 p.m. of the 60th day before general primary election day, whichever is earlier.

SECTION 8. (a) Section 50, Chapter 1318 (Senate Bill No. 100), Acts of the 82nd Legislature, Regular Session, 2011, is repealed.

(b) The secretary of state may not adjust or modify affected election dates, deadlines, or procedures to implement the federal Military and Overseas Voter Empowerment Act under Section 50, Chapter 1318 (Senate Bill No. 100), Acts of the 82nd Legislature, Regular Session, 2011.

(c) This section takes effect December 31, 2016.

SECTION 9. Except as otherwise provided by this Act, this Act takes effect September 1, 2013.

Passed the Senate on April 15, 2013: Yeas 30, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013, except as otherwise provided by this Act.

CHAPTER 590

S.B. No. 906

AN ACT relating to developmentally appropriate assessment of special education students.

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

SECTION 1. Subsection (b), Section 39.023, Education Code, is amended to read as follows:

(b) The agency shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program under Subchapter A, Chapter 29, for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student’s admission, review, and dismissal committee. The agency may not adopt a performance standard that indicates that a student’s performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student’s developmental level as determined by the student’s admission, review, and dismissal committee.

SECTION 2. This Act applies beginning with the 2013-2014 school year.

SECTION 3. As soon as practicable after the effective date of this Act, but not later than October 1, 2013, the Texas Education Agency shall adopt and implement rules consistent with Subsection (b), Section 39.023, Education Code, as amended by this Act.

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 25, 2013: Yeas 30, Nays 0; passed the House on May 22, 2013: Yeas 148, Nays 0, two present not voting.
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (b), Section 503.307, Occupations Code, is amended to read as follows:

(b) An applicant who has failed three successive examinations may not reapply for another examination before:

(1) the second anniversary of the date of the last examination taken by the applicant; or

(2) the date the applicant has satisfactorily completed nine graduate semester hours in the applicant's weakest portion of the examination.

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 25, 2013: Yeas 30, 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.

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

SECTION 1. Subsection (a), Section 38.004, Education Code, is amended to read as follows:

(a) The agency shall develop a policy governing the reports of child abuse or neglect required by Chapter 261, Family Code, of school districts, open-enrollment charter schools, and their employees. The policy must provide for cooperation with law enforcement child abuse investigations without the consent of the child's parents if necessary, including investigations by the Department of Family and Protective Services. The policy must require each school district and open-enrollment charter school employee to report child abuse or neglect in the manner required by Chapter 261, Family Code. Each school district and open-enrollment charter school shall adopt the policy.

SECTION 2. Subsection (c), Section 38.0041, Education Code, is amended to read as follows:

(c) The methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse and other maltreatment of children must include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual abuse and all other maltreatment of children. The training: