(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. 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 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 June 14, 2013.

CHAPTER 458
S.B. No. 914

AN ACT
relating to a behavior improvement plan or a behavioral intervention plan adopted for certain students with an individualized education program.

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

SECTION 1. Section 29.005, Education Code, is amended by adding Subsection (g) to read as follows:

(g) The committee may determine that a behavior improvement plan or a behavioral intervention plan is appropriate for a student for whom the committee has developed an individualized education program. If the committee makes that determination, the behavior improvement plan or the behavioral intervention plan shall be included as part of the student's individualized education program and provided to each teacher with responsibility for educating the student.

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

SECTION 3. 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 18, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 16, 2013: Yeas 29, Nays 0; passed the House, with amendment, on May 10, 2013: Yeas 134, Nays 1, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 459
S.B. No. 916

AN ACT
relating to quorums and meetings by teleconference of the Texas Bioenergy Policy Council and the Texas Bioenergy Research Committee.
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (e), Section 50D.011, Agriculture Code, is amended to read as follows:

(e) Subject to Section 50D.017, the policy council is subject to Chapters 551 and 2001, Government Code.

SECTION 2. Subchapter B, Chapter 50D, Agriculture Code, is amended by adding Sections 50D.016 and 50D.017 to read as follows:

Sec. 50D.016. QUORUM. A quorum of the policy council consists of not less than half of the members of the policy council. A member who participates in a meeting by telephone conference call, videoconference, or other similar telecommunication method may be counted to establish a quorum.

Sec. 50D.017. MEETING BY TELECONFERENCE. (a) Notwithstanding Chapter 551, Government Code, or any other law, the policy council may hold an open or closed meeting by telephone conference call, videoconference, or other similar telecommunication method if:

(1) notice is given for the meeting as for other meetings;
(2) the notice specifies a location for the meeting at which the public may attend;
(3) each part of the meeting that is required to be open to the public is audible to the public at the location specified in the notice of the meeting; and
(4) the meeting is recorded by electronic or other means and the recording of each portion of the meeting that is required to be open to the public is made available to the public.

(b) A member of the policy council may participate by telephone conference call, videoconference, or other similar telecommunication method in a policy council meeting at which other members are physically present and may vote.

SECTION 3. Subsection (e), Section 50D.021, Agriculture Code, is amended to read as follows:

(e) Subject to Section 50D.026, the research committee is subject to Chapters 551 and 2001, Government Code.

SECTION 4. Subchapter C, Chapter 50D, Agriculture Code, is amended by adding Sections 50D.025 and 50D.026 to read as follows:

Sec. 50D.025. QUORUM. A quorum of the research committee consists of not less than half of the members of the research committee. A member who participates in a meeting by telephone conference call, videoconference, or other similar telecommunication method may be counted to establish a quorum.

Sec. 50D.026. MEETING BY TELECONFERENCE. (a) Notwithstanding Chapter 551, Government Code, or any other law, the research committee may hold an open or closed meeting by telephone conference call, videoconference, or other similar telecommunication method if:

(1) notice is given for the meeting as for other meetings;
(2) the notice specifies a location for the meeting at which the public may attend;
(3) each part of the meeting that is required to be open to the public is audible to the public at the location specified in the notice of the meeting; and
(4) the meeting is recorded by electronic or other means and the recording of each portion of the meeting that is required to be open to the public is made available to the public.

(b) A member of the research committee may participate by telephone conference call, videoconference, or other similar telecommunication method in a research committee meeting at which other members are physically present and may vote.

SECTION 5. 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.

1292
CHAPTER 460

S.B. No. 967

AN ACT
relating to the authority of a municipality or county to retain certain fees.

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

SECTION 1. Subsection (e), Section 133.058, Local Government Code, is amended to read as follows:

(e) A municipality or county may not retain a service fee if, during an audit under Article 103.0033(j), Code of Criminal Procedure, the Office of Court Administration of the Texas Judicial System determines that the municipality or county is not in compliance with Article 103.0033, Code of Criminal Procedure, and [in the case of a municipality if the municipality or county is unable to reestablish compliance on or before the 180th day after the date the municipality or county receives written notice of noncompliance from the office. After any period in which the municipality or county becomes unable to retain a service fee under this subsection, the municipality or county may begin once more to retain the fee only on receipt of a written confirmation from the office that the municipality or county is in compliance with Article 103.0033, Code of Criminal Procedure.

SECTION 2. Subsection (c-1), Section 133.103, Local Government Code, is amended to read as follows:

(c-1) The treasurer shall send to the comptroller 100 percent of the fees collected under this section if, during an audit under Article 103.0033(j), Code of Criminal Procedure, the Office of Court Administration of the Texas Judicial System determines that the municipality or county is not in compliance with Article 103.0033, Code of Criminal Procedure, and [in the case of a municipality if the municipality or county is unable to reestablish compliance on or before the 180th day after the date the municipality or county receives written notice of noncompliance from the office. After any period in which the treasurer is required under this subsection to send 100 percent of the fees collected under this section to the comptroller, the municipality or county shall begin once more to dispose of fees as otherwise provided by this section on receipt of a written confirmation from the office that the municipality or county is in compliance with Article 103.0033, Code of Criminal Procedure.

SECTION 3. 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 18, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 131, Nays 3, two present not voting.

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

CHAPTER 461

S.B. No. 983

AN ACT
relating to in camera review and filing of the information at issue in a suit filed under the public information law.

1293