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 [two] 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:
(1) must be provided, as part of a new employee orientation, to all new school district and open-enrollment charter school employees and to existing district and open-enrollment charter school employees on a schedule adopted by the agency by rule until all district and open-enrollment charter school employees have taken the training [educators, including counselors and coaches, and other district and charter school professional staff members]; and

(2) [may be provided annually to any district or charter school staff member; and

(3)] must include training concerning:

(A) factors indicating a child is at risk for sexual abuse or other maltreatment;

(B) likely warning signs indicating a child may be a victim of sexual abuse or other maltreatment;

(C) internal procedures for seeking assistance for a child who is at risk for sexual abuse or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;

(D) techniques for reducing a child's risk of sexual abuse or other maltreatment; and

(E) community organizations that have relevant existing research-based programs that are able to provide training or other education for school district or open-enrollment charter school staff members, students, and parents.

SECTION 3. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0042 to read as follows:

Sec. 38.0042. POSTING CHILD ABUSE HOTLINE TELEPHONE NUMBER. (a) Each public school and open-enrollment charter school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and in Spanish that contains the toll-free telephone number operated by the Department of Family and Protective Services to receive reports of child abuse or neglect.

(b) The commissioner may adopt rules relating to the size and location of the sign required by Subsection (a).

SECTION 4. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9761 to read as follows:

Sec. 51.9761. CHILD ABUSE REPORTING POLICY AND TRAINING. (a) In this section, “other maltreatment” has the meaning assigned by Section 42.002, Human Resources Code.

(b) Each institution of higher education shall adopt a policy governing the reporting of child abuse and neglect as required by Chapter 261, Family Code, for the institution and its employees. The policy must require each employee of the institution to report child abuse and neglect in the manner required by Chapter 261, Family Code.

(c) Each institution of higher education shall provide training for employees who are professionals as defined by Section 261.101, Family Code, in prevention techniques for and the recognition of symptoms of sexual abuse and other maltreatment of children and the responsibility and procedure of reporting suspected occurrences of sexual abuse and other maltreatment. The training must include:

(1) techniques for reducing a child's risk of sexual abuse or other maltreatment;

(2) factors indicating a child is at risk for sexual abuse or other maltreatment;

(3) the warning signs and symptoms associated with sexual abuse or other maltreatment and recognition of those signs and symptoms; and

(4) the requirements and procedures for reporting suspected sexual abuse or other maltreatment as provided by Chapter 261, Family Code.

SECTION 5. Section 42.0426, Human Resources Code, is amended by adding Subsection (a-i) to read as follows:

(a-i) A licensed facility shall require each employee of the facility who attends a training program required by Subsection (a) to sign a statement verifying the employee's attendance at the training program. The licensed facility shall maintain the statement in the employee's personnel records.
SECTION 6. This Act takes effect September 1, 2013.

Passed the Senate on April 15, 2013: Yeas 29, Nays 1; the Senate concurred in House amendment on May 22, 2013: Yeas 30, Nays 1; passed the House, with amendment, on May 17, 2013: Yeas 131, Nays 3, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 593

S.B. No. 946

AN ACT

relating to the right to terminate a lease and avoid liability by a victim of certain sexual offenses or stalking.

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

SECTION 1. The heading to Section 92.0161, Property Code, is amended to read as follows:

Sec. 92.0161. RIGHT TO VACATE AND AVOID LIABILITY FOLLOWING CERTAIN SEX OFFENSES OR STALKING.

SECTION 2. Section 92.0161, Property Code, is amended by amending Subsections (b), (c), (d), and (g) and adding Subsections (c-1), (i), and (j) to read as follows:

(b) A tenant may terminate the tenant's rights and obligations under a lease and may vacate the dwelling and avoid liability for future rent and any other sums due under the lease for terminating the lease and vacating the dwelling before the end of the lease term after the tenant complies with Subsection (c) or (c-1).

(c) If the tenant is a victim of sexual assault or a parent or guardian of a victim of sexual assault under Section 22.011, Penal Code, aggravated sexual assault under Section 22.021, Penal Code, indecency with a child under Section 21.11, Penal Code, sexual performance by a child under Section 43.25, Penal Code, or continuous sexual abuse of a child under Section 21.02, Penal Code, or an attempt to commit any of the foregoing offenses under Section 15.01, Penal Code, that takes place during the preceding six-month period on the premises or at any dwelling on the premises, the tenant shall provide to the landlord or the landlord's agent a copy of:

(1) documentation of the assault or abuse, or attempted assault or abuse, of the victim from a licensed health care services provider who examined the victim;

(2) documentation of the assault or abuse, or attempted assault or abuse, of the victim from a licensed mental health services provider who examined or evaluated the victim;

(3) documentation of the assault or abuse, or attempted assault or abuse, of the victim from an individual authorized under Chapter 420, Government Code, who provided services to the victim; or

(4) documentation of a protective order issued under Chapter 7A, Code of Criminal Procedure, except for a temporary ex parte order.

(c-1) If the tenant is a victim or a parent or guardian of a victim of stalking under Section 42.072, Penal Code, that takes place during the preceding six-month period on the premises or at any dwelling on the premises, the tenant shall provide to the landlord or the landlord's agent a copy of:

(1) documentation of a protective order issued under Chapter 7A or Article 6.09, Code of Criminal Procedure, except for a temporary ex parte order, or

(2) documentation of the stalking from a provider of services described by Subsection (c)(1), (2), or (3) and:

(A) a law enforcement incident report; or