

BILL ANALYSIS

Senate Research Center
80R5345 MTB-F

S.B. 1848
By: Duncan
Finance
5/9/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 1848 addresses certain issues surrounding the comptroller's administrative duties and includes clarifying language. The bill amends certain provisions of the Code of Criminal Procedure, the Education Code, the Family Code, the Government Code, the Local Government Code, and the Property Code.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the comptroller of public accounts in SECTION 28 (Section 659.007, Government Code), SECTION 48 (Section 2107.009, Government Code), SECTION 51 (Section 2115.003, Government Code), SECTION 55 (Section 74.101, Property Code), SECTION 56 (Section 74.301, Property Code), and SECTION 58 (Section 74.601, Property Code) of this bill.

Rulemaking authority is expressly granted to a stage agency in SECTION 48 (Section 2107.009, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 103.002, Code of Criminal Procedure, as follows:

Art. 103.002. CERTAIN COSTS BARRED. (a) Creates this subsection from existing text.

(b) Requires money gathered from a person who paid a cost for a service that is not expressly provided by law to be applied to certain other unpaid costs in a specified order. Requires any money remaining to be refunded to the person making the payment. Requires the money be remitted, in the cases that the money cannot be refunded to the person making the payment, to the comptroller of public accounts (comptroller) in accordance with Chapter 133 (Criminal and Civil Fees Payable to the Comptroller), Local Government Code, for deposit in the general revenue fund.

SECTION 2. Amends Chapter 103, Code of Criminal Procedure, by adding Article 103.0021, as follows:

Art. 103.0021. ALLOCATION OF PARTIAL PAYMENTS. Requires a payment tendered by a person for court costs, fees, and fines in the person's criminal case that is not adequate to cover the total amount of all obligation due, to be allocated to state court costs first and the remainder applied to other costs, fees, and fines due in the case.

SECTION 3. Amends Article 103.0031(e), Code of Criminal Procedure, as follows:

(e) Deletes existing text requiring the allocation of a payment received by a person who pays an amount that is less than the aggregate total to be collected under Subsection (a) and (b) to the comptroller, the county or municipality to be reduced proportionately. Requires a private attorney or vendor, if payment is received from a person who pays an amount that is less than the aggregate total to be collected under Subsection (a) and (b), to receive 30 percent of the aggregate amount collected, not to exceed the amount added

as the collection fee, and the remainder of the amount collected to be allocated in accordance with Article 103.0021.

SECTION 4. Reenacts and amends Section 43.001(b), Education Code, as amended by Chapters 201 and 328, Acts of the 78th Legislature, Regular Session, 2003, as follows:

(b) Deletes existing text regarding one-fourth of all revenue derived from all state occupation taxes, exclusive of delinquencies and cost of collection being included in the available school fund. Makes conforming changes.

SECTION 5. Amends Section 43.002(a), Education Code, to require the Texas Education Agency (TEA), rather than the comptroller, to make the necessary transfers under this subsection.

SECTION 6. Amends Section 57.48(k)(1), Education Code, to redefine "compensation."

SECTION 7. Amends Section 63.202, Education Code, by amending Subsection (b) and adding Subsection (h), as follows:

(b) Includes Subsection (h) as an exception under this subsection.

(h) Requires expenses of managing and administering the assets of the fund (Permanent Health Fund for Higher Education) to be paid from the fund.

SECTION 8. Amends Section 63.302, Education Code, by amending Subsection (b) and adding Subsection (h), as follows:

(b) Includes Subsection (h) as an exception under this subsection.

(h) Requires expenses of managing and administering the assets of the fund (Permanent Health Fund for Higher Education) to be paid from the fund.

SECTION 9. Amends Sections 231.007(c) and (d), Family Code, as follows:

(c) Provides that the Title IV-D agency is the sole assignee of payments, including payments of compensation, by the state to a person indebted to the state under Subsection (a) if the comptroller is not responsible for issuing warrants or initiating electronic funds transfers to make those payments.

(d) Deletes existing text as it relates to requiring the comptroller, on request of the Title IV-D agency, to make payable and deliver to the agency payments for which the agency is the assignee under Subsection (c), if the comptroller is not responsible for issuing warrants or initiating electronic funds transfers to make those payments. Requires a state agency to make payable and deliver to Title IV-D agency any payments for which the Title IV-D agency is the assignee under Subsection (c).

SECTION 10. Amends Sections 25.0015(b) and (c), Government Code, as follows:

(b) Requires that for a county that participates under Section 51.702(f) under a resolution adopted and filed with the comptroller before September 1, 2003, an amount be paid to the county's salary fund in equal quarterly, rather than monthly, installments.

(c) Makes a conforming change.

SECTION 11. Amends Section 25.00211(b), Government Code, to make a conforming change.

SECTION 12. Amends Section 26.007(b), Government Code, to make a conforming change.

SECTION 13. Amends Section 74.061(d), Government Code, as follows:

(d) Deletes existing text referencing a retired judge or justice. Makes conforming and nonsubstantive changes.

SECTION 14. Amends Section 403.016(b), Government Code, as follows:

(b) Requires the comptroller to use the electronic funds transfer system to pay an employee's net state salary and travel expense reimbursements unless the employee does not hold a classified position under the state's position classification plan and the employee's salary is less than the minimum salary of group 8 of Salary Schedule A of the General Appropriations Act; or the employee holds a classified position under the state's position classification plan and the position is allocated to a group with a minimum salary of less than the minimum salary of group 8 of Salary Schedule A of the General Appropriations Act. Deletes existing text relating to an employee's gross state salary and a position classified to group 8 of the state position classification plan.

SECTION 15. Amends Section 403.055(l)(1), Government Code, to redefine "compensation."

SECTION 16. Amends Sections 403.0551(d), Government Code, to redefine "compensation." Makes a conforming change.

SECTION 17. Amends Sections 403.071(g) and (h), Government Code, as follows:

(g) Deletes existing text relating to authorizing a state agency to contract in writing for the comptroller to audit claims presented by the state agency. Makes conforming changes.

(h) Requires the comptroller to audit claims after payment under Subsection (g) in the same manner that the comptroller audits claims before payment under Subsection (a). Deletes existing text authorizing the comptroller to cancel the contract with the state agency. Makes conforming changes.

SECTION 18. Amends Section 404.024, Government Code, by amending Subsections (b) and (l) and adding Subsections (m) and (n), as follows:

(b) Amends the existing list of investments that the comptroller is required to make with state funds that are not deposited in state depositories.

(l) Requires the procedures established by the comptroller regarding the comptroller lending securities to be consistent with industry practice and to include a requirement to fully secure the loan with cash, obligations described by Subsections (b)(1)-(6), or a combination of cash and the described obligations. Provides that, notwithstanding any law to the contrary, cash may be reinvested in the items permitted under Subsection (b) or mutual funds, as defined by Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7). Deletes existing text that defined "obligation."

(m) Authorizes a comptroller, in entering into a direct security repurchase agreement or a reverse security purchase agreement, to agree to accept cash on an overnight basis in lieu of the securities, obligations, or participation certificates identified in Section 404.001(3). Provides that cash held by the state under this subsection is not a deposit of state or public funds for purposes of any statute, including this subchapter or Subchapter D, that requires a deposit of state or public funds to be collateralized by eligible securities.

(n) Authorizes any government investment pool created to function as a money market mutual fund and managed by the comptroller or the Texas Treasury Safekeeping Trust Company, notwithstanding any other law to the contrary, to invest the funds it receives in investments that are "eligible securities," as defined by Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7), under certain conditions.

SECTION 19. Amends the heading to Section 552.024, Government Code, to read as follows:

Sec. 552.024. ELECTING TO DISCLOSE ADDRESS, TELEPHONE NUMBER, DATE OF BIRTH, SOCIAL SECURITY NUMBER, AND PERSONAL FAMILY INFORMATION.

SECTION 20. Amends Section 552.024(a), Government Code, as follows:

(a) Includes the date of birth of a person in the information in custody of a governmental body that a person is required to choose whether to allow to be made public access.

SECTION 21. Amends the heading to Section 552.117, Government Code, to read as follows:

Sec. 552.117. EXCEPTION: CERTAIN ADDRESSES, TELEPHONE NUMBERS, DATES OF BIRTH, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION.

SECTION 22. Amends Section 552.177(a), Government Code, to make a conforming change.

SECTION 23. Amends the heading to Section 552.1175, Government Code, to read as follows:

Sec. 552.1175. CONFIDENTIALITY OF ADDRESSES, TELEPHONE NUMBERS, DATES OF BIRTH, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION OF PEACE OFFICERS, COUNTY JAILERS, SECURITY OFFICERS, AND EMPLOYEES OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE OR A PROSECUTOR'S OFFICE.

SECTION 24. Amends Section 552.1175(b), Government Code, to make a conforming change.

SECTION 25. Amends Section 552.132(b), Government Code, to make a conforming change.

SECTION 26. Amends Section 552.1325(b), Government Code, to make a conforming change.

SECTION 27. Amends Section 552.138(b), Government Code, as follows:

(b) Provides that information maintained by a family violence shelter center or sexual assault program is excepted from the requirements of Section 552.021 if it is information that relates to the name, home address, home telephone number, date of birth, or Social Security number or other numeric identifier of a current or former client of a family violence shelter center or sexual assault program. Makes conforming changes.

SECTION 28. Amends Subchapter A, Chapter 659, Government Code, by adding Section 659.007, as follows:

Sec. 659.007. EARNINGS STATEMENTS. (a) Defines "state agency."

(b) Authorizes a state agency to provide a written or electronic earnings statement to an officer or employee of the agency.

(c) Authorizes the comptroller to adopt rules and establish procedures concerning earnings statements provided by state agencies that under Subchapter C, Chapter 2101, are required to use the uniform statewide payroll system.

SECTION 29. Amends Section 659.044(e), Government Code, to provide that longevity pay that is paid to an employee to which this section applies is calculated using a certain calculation method.

SECTION 30. Amends Section 659.046, Government Code, by adding Subsection (g), as follows:

(g) Provides that for purposes of Subsection (a)(4), an employee's service as an academic employee of a state institution of higher education (institution) includes a summer semester or session during which the employee is not required to provide services to the

institution if the employee provided services to the institution throughout the immediately preceding spring and fall semesters; and the employee resumes providing services to the institution at the beginning of the first fall semester occurring after the summer semester or session.

SECTION 31. Amends Section 659.255(a)(3), Government Code, to redefine "merit salary increase."

SECTION 32. Amends Sections 659.256(c) and (f), Government Code, as follows:

(c) Requires an employee who is promoted within, rather than to a position in a higher salary group in, Salary Schedule A of the General Appropriations Act or from Salary Schedule B or C of the General Appropriations Act to Salary Schedule A of the General Appropriations Act, to receive a salary rate that is at least 3.4 percent, rather than one step, higher than the employee's salary rate before promotion or the minimum rate of the new salary range, whichever is higher, and may, at the discretion of the state agency administrator, receive an annual salary rate up to and including the maximum rate of the new salary range. Deletes existing text relating to the instances when an employee is required to receive a step rate.

(f) Prohibits an employee whose salary prior to promotion exceeds the maximum rate of the employee's assigned salary group from receiving more than the maximum rate of the new salary group, even if the increase is less than one step in a salary group that is divided into steps, rather than in a Salary Schedule A of the General Appropriations Act, or 3.4 percent in a salary group that is not divided into steps, rather than Salary Schedule B of the General Appropriations Act.

SECTION 33. Amends Section 659.257(c), Government Code, as follows:

(c) Provides that an employee who is demoted within, rather than to a position in a lower salary group in, Salary Schedule A of the General Appropriations Act or from Salary Schedule B or C of the General Appropriations Act to Salary Schedule A of the General Appropriations Act, will receive a salary rate of at least 3.4 percent, rather than at least one step, below the rate the employee received before demotion. Deletes existing text relating to an employee who is demoted from a position in Salary Schedule B or C of the General Appropriations Act to a position in Salary Schedule A of the General Appropriations Act.

SECTION 34. Amends Section 660.024(a), Government Code, as follows:

(a) Authorizes the advance written approval under this subsection to be communicated electronically. Deletes existing text requiring that a copy of the written approval be submitted with the travel voucher to the comptroller in accordance with Section 660.027.

SECTION 35. Amends Sections 660.027(b), (d), and (e), Government code, as follows:

(b) Provides that the voucher submitted under Subsection (a), is valid only if the state agency submitting the voucher approves it in accordance with Chapter 2103 and, if required by law certifies the voucher; and the state employee who incurred the travel expense or, if the employee is unavailable, another individual acceptable to the comptroller approves the description, information, and documentation required by Subsection (d), rather than voucher, in writing or electronically, except that the employee's approval is not required if another person is required by law to provide the approval.

(d) Requires a voucher to be supported by a description of the official state business performed and the information and documentation that the comptroller considers necessary for the comptroller to determine compliance with this chapter, the travel provisions of the General Appropriations Act, and the rules adopted by the comptroller under this chapter. Makes conforming and nonsubstantive changes.

(e) Makes conforming changes.

SECTION 36. Amends Sections 660.028, Government Code, by amending Subsections (b), (c), and (d) and adding Subsection (e), as follows:

(b) Authorizes the comptroller to require a state agency, if the state agency's voucher is being audited by the comptroller after the comptroller issues a warrant or initiates an electronic funds transfer in response to the voucher, to maintain in its files the description, information, and documentation, rather than receipts, relating to the travel expense paid or reimbursed by the voucher until the comptroller audits the voucher.

(c) Makes a conforming change.

(d) Makes a conforming change.

(e) Authorizes the comptroller to require or authorize the description, information, and documentation relating to the travel expense payment or reimbursement to be maintained in paper form or electronically.

SECTION 37. Amends the heading to Subchapter C, Chapter 661, Government Code, to read as follows:

SUBCHAPTER C. PAYMENT FOR VACATION LEAVE TO STATE EMPLOYEES WHO
SEPARATE FROM STATE EMPLOYMENT

SECTION 38. Amends Section 661.062, Government Code, as follows:

Sec. 661.062. New heading: ENTITLEMENT TO PAYMENT FOR VACATION LEAVE. (a) Deletes existing text as it relates to payment of the accrued balance of an employee's vacation time for a state employee who resigns, is dismissed, or otherwise separates from state employment by a state agency. Deletes existing text providing the eligibility requirements for a state employee to receive payment of the accrued balance of the employee's vacation time. Entitles a state employee who, at any time during the employee's lifetime, has accrued six months of continuous state employment to be paid for the employee's accrued vacation leave under certain conditions.

(b) Provides that for the purpose of this section, the amount of a state employee's accrued vacation leave is the amount existing on the date the event occurs that entitles the employee to be paid for the employee's accrued vacation leave. Deletes existing text providing what constitutes a separation from state employment.

(c) Requires the state agency to which a state employee moves to credit the employee for the employee's accrued vacation leave if the employee is not entitled under Subsection (a)(3) or (4) to receive payment for that leave.

(d) Creates this subsection from existing text. Deletes existing text providing that a separation under Subsection (b)(4) applies only with respect to the position from which the separation occurs. Provides that a state employee who holds two or more positions is entitled to be paid for the employee's accrued vacation leave concerning a particular position only if the event entitling the employee to receive the payment relates to the position that accrues vacation leave, as provided in Subsection (a).

(e) Makes a conforming change. Amends this subsection to reference this section, rather than Subsection (a).

(f) Makes a conforming change. Sets forth the individuals who are ineligible, rather than not entitled, to receive payment, rather than payments, under this subchapter.

(g) Makes a conforming change. Deletes existing text relating to the method of determining the payment for accrued vacation leave for an employee of the senate, and certain other government officials. Provides that an employee of a legislative agency is eligible or entitled to receive payment for the employee's accrued vacation leave only as provided by the administrative head of that agency. Provides that an employee of the house of representatives or of a member of the house of representatives is eligible or entitled to receive payment for the employee's accrued vacation leave only as provided by the speaker of the house of representatives. Provides that an employee of the senate, of a member the senate, or of the lieutenant governor is eligible or entitled to receive payment for the employee's accrued vacation leave only as provided by the lieutenant governor.

SECTION 39. Amends Sections 661.063(a) and (b), Government Code, as follows:

(a) Requires that the payment to a state employee under this subchapter be computed using the date that the event occurs that entitles the employee to be paid for the employee's accrued vacation leave, rather than the date of separation from the state employment. Makes a conforming change.

(b) Requires the payment under this subchapter to a state employee who resigns, is dismissed, or moves to another position from, rather than who separates from state employment while holding, a position that does not accrue vacation leave to be computed according to this subsection. Makes conforming changes.

SECTION 40. Amends Section 661.064, Government Code, to make conforming changes.

SECTION 41. Amends Section 661.066, Government Code, to make conforming changes.

SECTION 42. Amends Section 661.067, Government Code, to make conforming changes.

SECTION 43. Amends the heading to Subchapter D, Chapter 661, Government Code, to read as follows:

SUBCHAPTER C. PAYMENTS FOR VACATION LEAVE TO CONTRIBUTING MEMBERS OF EMPLOYEES RETIREMENT SYSTEM WHO RETIRE

SECTION 44. Amends Section 661.091, Government Code, to makes conforming changes.

SECTION 45. Amends Section 661.092, Government Code, as follows:

Sec. 661.092. COMPUTATION OF PAYMENT. Requires a payment required by this subchapter to be computed as provided by Section 661.063.

SECTION 46. Amends Section 662.010, Government Code, as follows:

Sec. 662.010. HOLIDAY BEFORE WORK BEGINS OR AFTER WORK ENDS. (a) Prohibits an individual who is a state employee on the first workday after a state or national holiday from being paid for that holiday if the individual is not a state employee on the last workday before the holiday; and the holiday and the first workday after the holiday occur during different months, rather than unless the holiday falls on the employee's first or last workday of the month.

(b) Prohibits an individual who is a state employee on the last workday before a state or national holiday from being paid for that holiday if the individual is not a state employee on the first workday after the holiday; and the holiday and the last workday before the holiday occur during different months.

(c) Makes a conforming change.

SECTION 47. Amends Subchapter A, Chapter 2103, Government Code, by adding Section 2103.005, as follows:

Sec. 2103.005. CONFLICTS OF LAW. Provides that this chapter prevails over all other law to the extent of any conflict.

SECTION 48. Amends Chapter 2107, Government Code, by adding Section 2107.009, as follows:

Sec. 2107.009. DEDUCTIONS FOR REPAYMENT OF CERTAIN DEBTS OR TAX DELINQUENCIES. (a) Authorizes a state agency, except as provided by this section, to deduct the amount of a person's indebtedness to the state or tax delinquency from any amount the agency owes the person or the person's successor. Requires a state agency to pay to the person or successor any amount remaining after the deduction.

(b) Provides that Subsection (a) applies to a person or the person's successor only if certain conditions exist.

(c) Requires a state agency to provide notice to a person or the person's successor before deducting the amount of the person's indebtedness to the state or tax delinquency under Subsection (a). Requires the notice to include certain information.

(d) Provides that this section does not authorize a state agency to deduct the amount of a state employee's indebtedness to the state from any amount of compensation owed by the agency to the employee, the employee's successor, or the assignee of the employee or the successor. Defines "compensation," "indebtedness," "state agency," "state employee," and "successor."

(e) Requires a state agency to credit the appropriate fund or account for any amount deducted under this section if the agency is the custodian or trustee of that fund or account. Requires the agency to remit any amount deducted under this section to the custodian or trustee of the appropriate fund or account if the agency is not its custodian or trustee.

(f) Authorizes the comptroller to determine the order that a person's multiple types of indebtedness to the state or tax delinquencies are deducted from the amount a state agency owed the person or the person's successor.

(g) Provides that the assignee of a person or the person's successor is considered to be a successor of the person for the purposes of this section, except that a deduction under this section from the amount owed to the assignee of a person or the person's successor is prohibited from being made if the assignment became effective before the person became indebted to the state or incurred the tax delinquency.

(h) Authorizes a state agency, except as provided by this section, to adopt rules and establish procedures concerning deductions made by the agency under this section. Provides that to the extent of any conflict, rules adopted or procedures established by the comptroller under Subsection (i) prevail over the agency's rules or procedures.

(i) Authorizes the comptroller to adopt rules and establish procedures to administer Subsection (f).

(j) Defines "successor."

SECTION 49. Amends Section 2115.001(l), Government Code, to redefine "overpayment."

SECTION 50. Amends the heading to Section 2115.003, Government Code, to read as follows:

Sec. 2115.003. SCOPE OF MANDATORY RECOVERY AUDITS.

SECTION 51. Amends Section 2115.003(b), Government Code, as follows:

(b) Authorizes the comptroller to exempt from the mandatory recovery audit process a state agency or a type of payment if the comptroller determines, in accordance with criteria the comptroller adopts by rule, that the exemption would be in the best interests of the state; or by rule. Deletes existing text that authorizes the comptroller to exempt from the mandatory recovery audit process a state agency that has a low proportion of its expenditures made to vendors, according to criteria the comptroller adopts by rule, after consideration of the likely costs and benefits of performing recovery audits for agencies that make relatively few or small payments to vendors.

SECTION 52. Amends Section 2115.004(a), Government Code, as follows:

(a) Requires a state agency to pay the recovery audit consultant responsible for obtaining for the agency a reimbursement from a vendor. Deletes existing text as it relates to recovered money appropriated for the purpose of paying the consultant aforementioned. Provides that unless otherwise prohibited by law, the payment is required to be made from recovered money.

SECTION 53. Amends Section 117.002, Local Government Code, as follows:

Sec. 117.002. TRANSFER OF UNCLAIMED FUNDS TO COMPTROLLER. Deletes existing text that provides that cash bail bonds are an exception to this subsection.

SECTION 54. Amends Section 74.202, Property Code, as follows:

Sec. 74.202. New heading: NOTICE FOR ITEM WITH VALUE OF LESS THAN \$200. Requires that in the notice required by Section 74.201, the comptroller is not required to publish information regarding an item having a value that is less than \$200, rather than \$100, unless the comptroller determines that publication of that information is in the public interest.

SECTION 55. Amends Section 74.101(a), Property Code, as follows:

(a) Authorizes the comptroller to require that the format for the report filed by a property holder who holds property that is presumed abandoned by certain statutes under this subsection be in an electronic format. Authorizes the comptroller to adopt rules to establish threshold requirements for electronic filing by holder.

SECTION 56. Amends Section 74.401, Property Code, by adding Subsection (d), to authorize the comptroller to require holders to electronically transmit money subject to delivery under Subsection (a). Authorizes the comptroller to adopt rules to establish the threshold requirement for electronic transmission of money by holders.

SECTION 57. Amends Section 74.401(a), Property Code, to include securities, rather than marketable securities.

SECTION 58. Amends Section 74.601, Property Code, by adding Subsection (g), as follows:

(a) Authorizes the comptroller, if an owner does not assert a claim for unclaimed money and the owner is reported to be the state or a state agency, to deposit the unclaimed money to the credit of the general revenue fund. Authorizes the comptroller to establish procedures and adopt rules as necessary to implement this section.

SECTION 59. Repealer: Section 43.020 (Treatment of Accrued Income), Education Code, Section 661.093 (Conflict with Other Subchapter) and Section 2103.063 (General Services Commission), Government Code, and Chapter 2112 (Utility Billing Audits by State Agencies and Institutions of Higher Education), Government Code.

SECTION 60. (a) Provides that Sections 552.024, 552.117, 552.1175, 552.132, 552.1325, and 552.138, Government Code, apply to information, records, and notations collected, made, assembled, or maintained on, before, or after the effective date of this Act.

(b) Provides that Sections 552.024, 552.117, 552.1175, 552.132, 552.1325, and 552.138, Government Code, apply to requests for information received on, before, or after the effective date of this Act.

(c) Defines "governing body."

SECTION 61. Provides that a rule adopted by the comptroller before the effective date of the changes made by this Act to Chapter 2115, Government Code, is not required to be readopted by the comptroller if the rule is consistent with that chapter as amended by this Act. Provides that this section applies only to a rule adopted to administer that chapter.

SECTION 62. (a) Effective date, except as provided by Subsection (e) of this section: upon passage.

(b) Provides that if this Act does not receive the vote necessary for immediate effect, the changes to or additions or repeal of the following laws made by this Act take effect on the 91st day after the last day of the legislative session: Section 57.48, Education Code; Section 231.007, Family Code; Sections 403.055, 403.0551, 552.024, 552.117, 552.1175, 552.132, 552.1325, 552.138, 659.044, 659.046, 661.062, 661.063, 661.064, 661.066, 661.067, 661.091, 661.092, 661.093, 662.010, 2103.063, 2107.009, 2115.001, 2115.003, and 2115.004, Government Code; the headings for Subchapters C and D, Chapter 661, Government Code; Chapter 2112, Government Code.

(c) Provides that if this Act does not receive the vote necessary for immediate effect, the effective date for Articles 103.002, 103.0021, and 103.0021, and 103.0031, Code of Criminal Procedure; Sections 63.202 and 63.302, Education Code; Sections 25.0015, 25.00211, 26.007, 403.071, 404.024, 659.007, 660.024, 660.027, and 660.028, Government; and Sections 74.101, 74.202, 74.301, 74.401, and 74.601, Property Code is September 1, 2007.

(d) Provides that if this Act does not receive the vote necessary for immediate effect, all provisions of this Act not provided for in Subsection (b) or (c) are effective: September 1, 2007.

(e) Provides that the changes to or repeal of Sections 43.001, 43.002, and 43.020, Education Code; and Sections 74.061, 403.016, 659.255, 659.256, and 659.257, Government Code, are effective: September 1, 2007.