

## **BILL ANALYSIS**

Senate Research Center  
84R1978 MTB-D

S.B. 1296  
By: West  
Administration  
4/7/2015  
Committee Report (Amended)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Legislative Council (TLC) is required by law (Section 323.007, Government Code) to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law if practicable--all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

As part of the duties relating to continuing statutory revision, TLC:

- (1) monitors the acts of each session and proposes nonsubstantive codifications of laws that should be included in previously enacted codes;
- (2) identifies duplicate official citations in enacted codes and proposes appropriate renumbering;
- (3) identifies organizational, reference, and terminology problems in enacted codes and nonsubstantively corrects those problems; and
- (4) makes necessary corrections to enacted codes to conform the codes to the source law from which they were derived.

Section 43, Article III, Texas Constitution, specifically recognized this type of bill as a "revision" for purposes of the legislature's obligation under that section to provide for the revising of laws. As such a revision, S.B. 1296 is not subject to the constitutional rule prohibiting more than one subject in a single bill or the rule prohibiting amendments by reference.

S.B. 1296 has the purposes of:

- (1) codifying without substantive change various statutes that were omitted from enacted codes;
- (2) renumbering sections and articles of codes that duplicate section and article numbers;
- (3) correcting without substantive change organizational, reference, and terminology problems; and
- (4) making necessary corrections to enacted codes to conform the codes to the source law from which they were derived.

S.B. 1296 amends current law relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

ARTICLE 1. GENERAL PROVISIONS  
(Pages 1-2 of this bill)

ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE  
(Pages 2-4 of this bill)

ARTICLE 3. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE  
(Pages 4-6 of this bill)

ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE  
(Pages 6-13 of this bill)

ARTICLE 5. CHANGES RELATING TO EDUCATION CODE  
(Pages 13-21 of this bill)

ARTICLE 6. CHANGES RELATING TO ELECTION CODE  
(Pages 21-22 of this bill)

ARTICLE 7. CHANGES RELATING TO FAMILY CODE  
(Pages 22-30 of this bill)

ARTICLE 8. CHANGES RELATING TO FINANCE CODE  
(Pages 30-31 of this bill)

ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE  
(Pages 31-92 of this bill)

ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE  
(Pages 92-97 of this bill)

ARTICLE 11. CHANGES RELATING TO INSURANCE CODE  
(Pages 97-100 of this bill)

ARTICLE 12. CHANGES RELATING TO LOCAL GOVERNMENT CODE  
(Pages 100-102 of this bill)

ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE  
(Pages 102-104 of this bill)

ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE  
(Pages 104-105 of this bill)

ARTICLE 15. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE  
(Pages 105-108 of this bill)

ARTICLE 16. CHANGES RELATING TO TAX CODE  
(Pages 108-115 of this bill)

ARTICLE 17. CHANGES RELATING TO TRANSPORTATION CODE  
(Pages 115-121 of this bill)

ARTICLE 18. CHANGES RELATING TO WATER CODE  
(Page 121 of this bill)

ARTICLE 19. CHANGES RELATING TO THE DISPOSITION OF CERTAIN CIVIL  
STATUTES  
(Pages 121-145 of this bill)

ARTICLE 20. CHANGES RELATING TO THE ESTATES CODE AND CODIFICATION OF  
THE TEXAS PROBATE CODE  
(Pages 145-157 of this bill)

ARTICLE 21. REDESIGNATIONS  
(Pages 157-186 of this bill)

ARTICLE 22. EFFECTIVE DATE  
(Pages 186-187 of this bill)

**SUMMARY OF COMMITTEE CHANGES**

(1) Strikes SECTIONS 7.004, 7.005, 10.001, 10.006, and 21.001(26) of the bill and renumbers subsequent SECTIONS of the bill accordingly.