

BILL ANALYSIS

Senate Research Center
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S.B. 1488
By: West
Administration
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As Filed

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logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law if practicable—all toward promoting the stated purpose of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. 1488 is not subject to the constitutional rule prohibiting more than one subject in a single bill or the rule prohibiting amendments by reference.

This bill 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. 1488 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 84th Legislature to other Acts of that legislature.

As proposed, S.B. 1488 amends current law relating to nonsubstantive additions to, revisions of, 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 84th Legislature to other Acts of that legislature.

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 AGRICULTURE CODE

(Pages 3-4 of this bill.)

ARTICLE 3. CHANGES RELATING TO BUSINESS & COMMERCE CODE

(Pages 4-10 of this bill.)

ARTICLE 4. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

(Pages 10-11 of this bill.)

ARTICLE 5. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

(Pages 11-12 of this bill.)

ARTICLE 6. CHANGES RELATING TO EDUCATION CODE

(Pages 12-17 of this bill.)

ARTICLE 7. CHANGES RELATING TO FAMILY CODE

(Pages 18-25 of this bill.)

ARTICLE 8. CHANGES RELATING TO GOVERNMENT CODE

PART A. GENERAL CHANGES

(Pages 25-51 of this bill.)

PART B. UPDATE OF COURT FEES AND COSTS

(Pages 51-106 of this bill.)

ARTICLE 9. CHANGES RELATING TO HEALTH AND SAFETY CODE

(Pages 106-111 of this bill.)

ARTICLE 10. CHANGES RELATING TO INSURANCE CODE

(Pages 111-113 of this bill.)

ARTICLE 11. CHANGES RELATING TO LABOR CODE

(Page 113 of this bill.)

ARTICLE 12. CHANGES RELATING TO LOCAL GOVERNMENT CODE

(Pages 113-115 of this bill.)

ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

(Pages 115-117 of this bill.)

ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

(Pages 117-120 of this bill.)

ARTICLE 15. CHANGES RELATING TO PENAL CODE

(Pages 120-122 of this bill.)

ARTICLE 16. CHANGES RELATING TO PROPERTY CODE
(Page 122 of this bill.)

ARTICLE 17. CHANGES RELATING TO TAX CODE
(Pages 122-127 of this bill.)

ARTICLE 18. CHANGES RELATING TO TRANSPORTATION CODE
(Pages 127-129 of this bill.)

ARTICLE 19. CHANGES RELATING TO WATER CODE
(Pages 129-136 of this bill.)

ARTICLE 20. CHANGES RELATING TO THE DISPOSITION OF CERTAIN CIVIL
STATUTES
(Pages 136-164 of this bill.)

ARTICLE 21. NONSUBSTANTIVE REVISION OF SUBCHAPTER E, CHAPTER 39, AND
SECTION 39.152, EDUCATION CODE: PROVISIONS RELATING TO PUBLIC SCHOOL
ACCOUNTABILITY INTERVENTIONS AND SANCTIONS
(Pages 165-230 of this bill.)

ARTICLE 22. CHANGES RELATING TO THE ESTATES CODE AND CODIFICATION OF
THE TEXAS PROBATE CODE
(Pages 230-265 of this bill.)

ARTICLE 23. CONFORMING CHANGES RELATING TO NONSUBSTANTIVE REVISION
OF CERTAIN LAWS CONCERNING COMMUNITY SUPERVISION
(Pages 265-291 of this bill.)

ARTICLE 24. REDESIGNATIONS
(Pages 291-305 of this bill.)

ARTICLE 25. EFFECTIVE DATE
(Page 305 of this bill.)