(a-1) The Texas Department of Criminal Justice, in the case of an inmate released on parole or to mandatory supervision following a term of imprisonment for an offense described by Subsection (c), or a community supervision and corrections department supervising a defendant, in the case of a defendant convicted of an offense described by Subsection (c) and subsequently released on community supervision, shall notify a victim or witness described by Subsection (a) whenever the inmate or defendant, if subject to electronic monitoring as a condition of release, ceases to be electronically monitored.

(d) It is the responsibility of a victim or witness desiring notification of the defendant’s release to provide the Texas Department of Criminal Justice, [or] the sheriff, or the community supervision and corrections department supervising the defendant, as appropriate, with the e-mail address, mailing address, and telephone number of the victim, witness, or other person through whom the victim or witness may be contacted and to notify the appropriate department or the sheriff of any change of address or telephone number of the victim, witness, or other person. Information obtained and maintained by the Texas Department of Criminal Justice, [or] a sheriff, or a community supervision and corrections department under this subsection is privileged and confidential.

(e) The Texas Department of Criminal Justice, [or] the sheriff, or the community supervision and corrections department supervising the defendant, as appropriate:

(1) shall make a reasonable attempt to give any notice required by Subsection (a) or (a-1):

(A) not later than the 30th day before the date the defendant completes the sentence and is released or ceases to be electronically monitored as a condition of release; or

(B) immediately if the defendant escapes from the correctional facility; and

(2) may give any notice required by Subsection (a) or (a-1) by e-mail, if possible.

(f) An attempt by the Texas Department of Criminal Justice, [or] the sheriff, or the community supervision and corrections department supervising the defendant to give notice to a victim or witness at the victim’s or witness’s last known mailing address or, if notice via e-mail is possible, last known e-mail address, as shown on the records of the appropriate department or agency, constitutes a reasonable attempt to give notice under this article.

SECTION 3. This Act takes effect September 1, 2009.

Passed by the House on May 1, 2009: Yeas 140, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 619

H.B. No. 1038

AN ACT

relating to the determination of the market value of a residence homestead for purposes of ad valorem taxation.

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

SECTION 1. Section 23.01, Tax Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding Section 1.04(7)(C), in determining the market value of a residence homestead, the chief appraiser may not exclude from consideration the value of other

1404
residential property that is in the same neighborhood as the residence homestead being appraised and would otherwise be considered in appraising the residence homestead because the other residential property:

(1) was sold at a foreclosure sale conducted in any of the three years preceding the tax year in which the residence homestead is being appraised and was comparable at the time of sale based on relevant characteristics with other residence homesteads in the same neighborhood; or

(2) has a market value that has declined because of a declining economy.

SECTION 2. This Act takes effect January 1, 2010.

Passed by the House on March 31, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective January 1, 2010.

CHAPTER 620

H.B. No. 1063

AN ACT
relating to emergency vehicle access to certain gated communities and multiunit housing projects.

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

SECTION 1. Subchapter E, Chapter 352, Local Government Code, is amended by adding Section 352.1145 to read as follows:

Sec. 352.1145. SIREN-OPERATED SENSOR SYSTEMS FOR ELECTRIC GATES. The commissioners court of a county by order may require that each electric gate to a gated community or multiunit housing project be equipped with a gate-operating device that:

(1) is approved by the county fire marshal or other similar authority having jurisdiction over fire prevention; and

(2) will activate the electric gate on the sounding of an emergency vehicle siren.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 621

H.B. No. 1083

AN ACT
relating to mediation orders in certain arbitration proceedings.

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

SECTION 1. Section 154.021, Civil Practice and Remedies Code, is amended by adding Subsection (c) to read as follows:

(c) Except as provided by agreement of the parties, a court may not order mediation in an action that is subject to the Federal Arbitration Act (9 U.S.C. Sections 1-16).

SECTION 2. The change in law made by this Act applies only to an action that is commenced on or after the effective date of this Act. An action that is commenced before the