(c) A corporation must include the following statement in each sales contract, certificate of ownership, or other instrument of conveyance of the exclusive right of sepulture:

“This cemetery is operated as a perpetual care cemetery, which means that a perpetual care fund for its maintenance has been established in conformity with the laws of the State of Texas. Perpetual care means to maintain, repair, and care for the cemetery, including the roads on cemetery property.”

SECTION 2. The amendment of Section 712.007(c), Health and Safety Code, by this Act is intended to clarify rather than change existing law.

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

Passed by the House on May 6, 2009: Yeas 146, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 342

H.B. No. 1055

AN ACT relating to the procedure for submitting certain plans and specifications of buildings or facilities for the purpose of eliminating architectural barriers encountered by persons with disabilities.

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

SECTION 1. Section 469.102(b), Government Code, is amended to read as follows:

(b) The person shall submit the plans and specifications not later than the 20th day after the date the person issues the plans and specifications. If plans and specifications are issued on more than one date, the person shall submit the plans and specifications not later than the 20th day after each date the plans and specifications are issued. In computing time under this subsection, a Saturday, Sunday, or legal holiday is not included.

SECTION 2. Section 469.102(b), Government Code, as amended by this Act, applies to plans and specifications issued on or after the effective date of this Act. Plans and specifications issued before the effective date of this Act are governed by the law in effect on the date the plans and specifications are issued, and the former law is continued in effect for that purpose.

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

Passed by the House on May 15, 2009: Yeas 140, 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 343

H.B. No. 1056

AN ACT relating to the course levels offered by the University of Houston–Victoria.

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

SECTION 1. Section 111.96, Education Code, is amended to read as follows:

Sec. 111.96. ESTABLISHMENT: SCOPE. (a) The board of regents shall maintain an educational institution in the City of Victoria to be known as the University of Houston–Victoria.
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(b) The institution shall [be organized to] offer undergraduate [only junior, senior] and graduate level programs.

[(c) The institution may enroll a student who has successfully completed at least 30 semester credit hours of course work at a public or private institution of higher education and who is concurrently enrolled in another public or private institution of higher education.]

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, 2009.

Passed by the House on April 22, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 344

H.B. No. 1058
AN ACT
relating to the receipt of death benefits in the workers’ compensation system.

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

SECTION 1. Sections 408.182(d-1), (d-2), and (f), Labor Code, are amended to read as follows:

(d-1) If there is no eligible spouse, no eligible child, and no eligible grandchild, and there are no surviving dependents of the deceased employee who are parents, siblings, or grandparents of the deceased, the death benefits shall be paid in equal shares to surviving eligible parents of the deceased. A payment of death benefits made under this subsection may not exceed one payment per household. Total payments under this section [and] may not exceed 104 weeks regardless of the number of surviving eligible parents.

(d-2) Except as otherwise provided by this subsection, to be eligible to receive death benefits under Subsection (d-1), an eligible parent must file with the division a claim for those benefits not later than the first anniversary of the date of the injured employee’s death from the compensable injury. The claim must designate all eligible parents and necessary information for payment to the eligible parents. The insurance carrier is not liable for payment to any eligible parent not designated on the claim. Failure to file a claim in the time required bars the claim unless good cause exists for the failure to file a claim under this section [The commissioner may extend the time for filing a claim under this subsection only if the eligible parent submits proof satisfactory to the commissioner of a compelling reason for the delay].

(f) In this section:

(1) “Eligible child” means a child of a deceased employee if the child is:
(A) a minor;
(B) enrolled as a full-time student in an accredited educational institution and is less than 25 years of age; or
(C) a dependent of the deceased employee at the time of the employee’s death.

(2) “Eligible grandchild” means a grandchild of a deceased employee who is a dependent of the deceased employee and whose parent is not an eligible child.

(3) “Eligible spouse” means the surviving spouse of a deceased employee unless the spouse abandoned the employee for longer than the year immediately preceding the death without good cause, as determined by the division.