(4) “Eligible parent” means the mother or the father of a deceased employee, including an adoptive parent or a stepparent, who receives burial benefits under Section 408.186. The term does not include a parent whose parental rights have been terminated.

SECTION 2. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before that date is governed by the law in effect on the date that the compensable injury occurred, 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 1, 2009: Yeas 138, 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 345

H.B. No. 1060

AN ACT
relating to certain procedures for forwarding a warrant of arrest or a complaint in a criminal case.

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

SECTION 1. Articles 15.08 and 15.09, Code of Criminal Procedure, are amended to read as follows:

Art. 15.08. WARRANT MAY BE FORWARDED [TELEGRAPHED]. A warrant of arrest may be forwarded by any method that ensures the transmission of a duplicate of the original warrant, including secure facsimile transmission or other secure electronic means or a telegraph transmission from any telegraph office to another in this State. If issued by any magistrate named in Article 15.06, the peace officer receiving the same shall execute it without delay. If it be issued by any other magistrate than is named in Article 15.06, the peace officer receiving the same shall proceed with it to the nearest magistrate of the peace officer's county, who shall endorse thereon, in substance, these words:

“Let this warrant be executed in the county of ...........”, which endorsement shall be dated and signed officially by the magistrate making the same.

Art. 15.09. COMPLAINT MAY BE FORWARDED [BY TELEGRAPH]. A complaint in accordance with Article 15.05, may be forwarded [telegraphed] as provided by Article 15.08 [in the preceding Article] to any magistrate in the State; and the magistrate who receives the same shall forthwith issue a warrant for the arrest of the accused; and the accused, when arrested, shall be dealt with as provided in this Chapter in similar cases.

SECTION 2. Article 15.19(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the arrested person fails or refuses to give bail, as provided in Article 15.18, the arrested person shall be committed to the jail of the county where the person was arrested; and the magistrate committing the arrested person shall immediately provide notice to the sheriff of the county in which the offense is alleged to have been committed regarding:

(1) the arrest and commitment, which notice may be given by telegraph, mail, or other written means or by secure facsimile transmission or other secure electronic means; and

(2) whether the person was also arrested under a warrant issued under Section 508.251, Government Code.

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

Passed by the House on April 15, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

877
CHAPTER 346
H.B. No. 1084

AN ACT relating to shipment of wine to ultimate consumers.

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

SECTION 1. Section 16.09(e), Alcoholic Beverage Code, is amended to read as follows:

(e) The holder of a winery permit may not:

(1) sell or ship wine to a minor;

(2) deliver wine to a consumer using a carrier that does not hold a carrier’s permit under this code; or

(3) deliver to the same consumer in this state more than nine gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period to the same consumer in this state.

SECTION 2. Section 54.02, Alcoholic Beverage Code, is amended to read as follows:

Sec. 54.02. PROHIBITED ACTIVITIES. The holder of an out-of-state winery direct shipper’s permit may not:

(1) sell or ship wine to a minor;

(2) deliver wine to a consumer using a carrier that does not hold a carrier’s permit under this code;

(3) deliver to the same consumer in this state more than nine gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period to the same consumer in this state; or

(4) sell to ultimate consumers more than 35,000 gallons of wine annually.

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

Passed by the House on April 8, 2009: Yeas 146, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1084 on May 23, 2009: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 19, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

CHAPTER 347
H.B. No. 1093

AN ACT relating to oversight of regional poison control centers and the poison control network.

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

SECTION 1. Section 771.031(b), Health and Safety Code, is amended to read as follows:

(b) The following individuals serve as nonvoting ex officio members:

(1) the executive director of the Public Utility Commission of Texas, or an individual designated by the executive director;