SECTION 7. Section 41.415, Tax Code, as added by this Act, applies only to a tax year that begins on or after the effective date of this Act.

SECTION 8. Section 41.45, Tax Code, as amended by this Act, applies only to a postponement of a hearing that is requested on or after the effective date of this Act. A postponement of a hearing that is requested before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 9. The change in law made by this Act to Section 42.29, Tax Code, applies only to an appeal under Chapter 42, Tax Code, of a determination of an appraisal review board that was filed on or after the effective date of this Act. An appeal under Chapter 42, Tax Code, of a determination of an appraisal review board that was filed before the effective date of this Act is governed by the law in effect on the date the appeal was filed, and the former law is continued in effect for that purpose.

SECTION 10. (a) Except as provided by Subsections (b) and (c), 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.

(b) Section 6.41, Tax Code, as amended by this Act, takes effect January 1, 2010.

(c) Section 41.415, Tax Code, as added by this Act, takes effect January 1, 2010.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1030 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 1030 on May 31, 2009: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 25, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 1030 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective June 19, 2009 except as provided by §§ 10(b) and 10(c).

CHAPTER 1268

H.B. No. 1109

AN ACT

relating to late fees under a residential lease.

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

SECTION 1. Section 92.019(a), Property Code, is amended to read as follows:

(a) A landlord may not charge a tenant a late fee for failing to pay rent unless:

(1) notice of the fee is included in a written lease;

(2) the fee is a reasonable estimate of uncertain damages to the landlord that are incapable of precise calculation and result from late payment of rent; and

(3) the rent has remained unpaid one full day after the date the rent was originally due.

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 28, 2009: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate on May 19, 2009: Yeas 30, Nays 0.
CHAPTER 1269
H.B. No. 1146
AN ACT relating to the hours worked during a week by firefighters in certain municipalities.

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

SECTION 1. Section 142.0015, Local Government Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) Notwithstanding Subsection (d), in a municipality with a population of one million or more that has not adopted Chapter 143, for purposes of determining hours worked, including determining hours worked for calculation of overtime under Subsection (e), all hours are counted as hours worked during which the fire fighter or member of the fire department:

(1) is required to remain available for immediate call to duty by continuously remaining in contact with the fire department office by telephone, pager, or radio; or

(2) is taking any authorized leave, including attendance incentive leave, vacation leave, holiday leave, compensatory time off, jury duty, military leave, or leave because of a death in the family.

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 May 13, 2009: Yeas 127, Nays 17, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1270
H.B. No. 1290
AN ACT relating to health benefit plan coverage for bariatric surgery and for certain tests for the early detection of cardiovascular disease.

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

SECTION 1. Subtitle E, Title 8, Insurance Code, is amended by adding Chapter 1376 to read as follows:

CHAPTER 1376. CERTAIN TESTS FOR EARLY DETECTION OF CARDIOVASCULAR DISEASE

Sec. 1376.001. APPLICABILITY OF CHAPTER. (a) This chapter applies only to a health benefit plan that:

(1) provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including:

(A) an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage that is offered by: