(i) the residence homestead of the owner or consists of property that is used for residential purposes and that has fewer than five living units; or

(ii) owned or leased by a business entity that had not more than the amount calculated as provided by Subsection (h) in gross receipts in the entity's most recent federal tax year or state franchise tax annual period, according to the applicable federal income tax return or state franchise tax report of the entity;

(B) is located in a disaster area; and

(C) has been damaged as a direct result of the disaster; [and]

(2) tangible personal property that is owned or leased by a business entity described by Subdivision (1)(A)(ii); and

(3) taxes that are imposed on the property by a taxing unit before the first anniversary of the disaster.

(h) For the 2009 tax year, the limit on gross receipts under Subsection (a)(1)(A)(ii) is $5 million. For each subsequent tax year, the comptroller shall adjust the limit to reflect inflation by using the index that the comptroller considers to most accurately report changes in the purchasing power of the dollar for consumers in this state and shall publicize the adjusted limit. Each collector shall use the adjusted limit as calculated by the comptroller under this subsection to determine whether property is owned or leased by a business entity described by Subsection (a)(1)(A)(ii).

SECTION 3. 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 149, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1257 on May 23, 2009: Yeas 137, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 19, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.


CHAPTER 360

H.B. No. 1265

AN ACT

relating to the information about certain candidates required to be filed with the secretary of state.

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

SECTION 1. Section 172.029(a), Election Code, is amended to read as follows:

(a) For each general primary election, the state chair and each county chair shall prepare a list containing:

(1) the name of each candidate who files an application for a place on the ballot with the chair, as the name is to appear on the ballot;

(2) [and containing] the candidate's address as shown on the application; and

(3) the date on which the candidate filed the application.

SECTION 2. Section 181.032(b), Election Code, is amended to read as follows:

(b) Not later than the 10th day after the date of the filing deadline prescribed by Section 181.033, the authority with whom an application is filed shall deliver to the secretary of state a list containing:

(1) each candidate's name;

(2) each candidate's [and] residence address;
(3) [and] the office sought by the candidate; and
(4) the date on which the candidate filed the application.

SECTION 3. 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 9, 2009: Yeas 148, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 361

H.B. No. 1272

AN ACT
relating to the designation of State Highway 289 as the Preston Trail Highway.

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

SECTION 1. Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.0402 to read as follows:

Sec. 225.0402. PRESTON TRAIL HIGHWAY. (a) State Highway 289 is designated as the Preston Trail Highway.
(b) Subject to Section 225.021(c), the department shall design and construct markers indicating the highway number, the designation as the Preston Trail Highway, and any other appropriate information. The department shall erect a marker at each end of the highway and at appropriate intermediate sites along the highway.

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

Approved June 19, 2009.


CHAPTER 362

H.B. No. 1294

AN ACT
relating to certain certifications, professional designations, and education requirements regarding the sale of life insurance and annuities.

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

ARTICLE 1. AGENT EDUCATION REQUIREMENTS

SECTION 1.001. Subchapter B, Chapter 1115, Insurance Code, is amended by adding Section 1115.056 to read as follows:

Sec. 1115.056. AGENT EDUCATION REQUIREMENTS. (a) A resident agent that intends to sell, solicit, or negotiate a contract for an annuity in this state or to represent an