CHAPTER 363
H.B. No. 1295
AN ACT
relating to notification of an application related to a certificate of public convenience and necessity for water or sewer service.

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

SECTION 1. Section 13.246(a), Water Code, is amended to read as follows:

(a) If an application for a certificate of public convenience and necessity or for an amendment to a certificate is filed, the commission shall cause notice of the application to be given to affected parties and to each county and groundwater conservation district that is wholly or partly included in the area proposed to be certified. If [−if] requested, the commission shall fix a time and place for a hearing and give notice of the hearing. Any person affected by the application may intervene at the hearing.

SECTION 2. The change in law made by this Act to Section 13.246(a), Water Code, applies only to an application for a certificate of public convenience and necessity or an amendment to a certificate filed on or after the effective date of this Act. An application filed before the effective date of this Act is subject to the law in effect on the date of filing, and that 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 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 364
H.B. No. 1297
AN ACT
relating to optional flexible school day program courses offered by school districts to enable students to earn course credit under certain circumstances.

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

SECTION 1. Section 29.0822, Education Code, is amended by amending Subsections (a), (c), and (d) and adding Subsection (e) to read as follows:

(a) Notwithstanding Section 25.081 or 25.082, a school district may apply to the commissioner to provide a flexible school day program for students [in grades nine through twelve] who:

(1) have dropped out of school or are at risk of dropping out of school as defined by Section 29.081; or

(2) attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner; or

(3) as a result of attendance requirements under Section 25.092, will be denied credit for one or more classes in which the students have been enrolled.

(c) Except in the case of a course designed for a student described by Subsection (a)(3), a [A] course offered in a program under this section must provide for at least the same number of instructional hours as required for a course offered in a program that meets the required minimum number of instructional days under Section 25.081 and the required length of school day under Section 25.082.

(d) The commissioner may adopt rules for the administration of this section, including rules establishing application requirements. The commissioner shall calculate average daily attendance for students served under this section. The commissioner shall allow accumulations