equipment and supplies under the Medicaid program to provide for an ordering system that is comparable to the ordering system for diabetic equipment and supplies under the Medicare program. The ordering system must permit a diabetic equipment or supplies supplier to complete the forms by hand or to enter by electronic format medical information or supply orders into any form as necessary to provide the information required to dispense diabetic equipment or supplies.

(c) A provider of diabetic equipment and supplies may bill and collect payment for the provider's services if the provider has a copy of the form that meets the requirements of Subsection (b) and that is signed by a medical practitioner licensed in this state to treat diabetic patients. Additional documentation may not be required.

SECTION 2. The Health and Human Services Commission may use state money to implement Section 531.099, Government Code, as added by this Act, only if the overall cost to the state of operating the Medicaid program does not increase as a result of aligning diabetic equipment and supplies written order procedures with Medicare diabetic equipment and supplies written order procedures as required by that section.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 4. This Act takes effect September 1, 2009.

Passed by the House on May 1, 2009: Yeas 135, Nays 1, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1487 on May 23, 2009: Yeas 136, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

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

CHAPTER 381
H.B. No. 1518
AN ACT relating to the addition of territory to and the amount of production fees imposed by the Trinity Glen Rose Groundwater Conservation District.

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

SECTION 1. Section 13, Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (i) of this section, the board of directors may impose [reasonable] fees on each nonexempt well in the district. The fees may be assessed annually, based on:

(1) the size of column pipe used in the well;
(2) the production capacity of the well; or
(3) actual, authorized, or anticipated pumpage.

(b-1) The district may not impose a fee under Subsection (b) of this section in an amount greater than:

(1) $1 per acre-foot for water used for agricultural purposes; or
(2) $40 per acre-foot for water used for any other purpose.

SECTION 2. Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 19A to read as follows:

Sec. 19A. EFFECT OF ANNEXATION OF LAND BY CERTAIN MUNICIPALITIES.
(a) In this section:
(1) "Inhabited land" means land on which at least one fixed, permanent, and occupied dwelling is situated, as of the date on which the land is annexed by a municipality.

(2) "Vacant land" means land on which no fixed, permanent, and occupied dwelling is situated, as of the date on which the land is annexed by a municipality.

(b) If a municipality that has held an election under Section 19 of this Act subsequently annexes vacant land that is not located in the groundwater conservation district chosen by the municipality in the election, the annexed vacant land by that action:

(1) becomes part of the territory of the groundwater conservation district chosen by the municipality in the election; and

(2) is disannexed from any other groundwater conservation district in which the land is located.

(c) If a municipality that has held an election under Section 19 of this Act subsequently annexes inhabited land that is not located in the groundwater conservation district chosen by the municipality in the election, the landowners of the annexed inhabited land may file a petition with the groundwater conservation district requesting inclusion in that district as provided by Subchapter J, Chapter 36, Water Code. Notwithstanding Section 36.325(b), Water Code, the petition must be signed by all of the landowners of the land to be annexed by the groundwater conservation district. If the affected landowners do not file a petition as provided by this subsection, the municipality shall hold an election under Section 19 of this Act in which the voters in the annexed inhabited land may choose the one groundwater conservation district of which the annexed land will be a part.

(d) Any land annexed by the municipality after an election under Section 19 of this Act and before the effective date of this section is:

(1) territory of the district chosen by the municipality in the election; and

(2) disannexed from any other groundwater conservation district in which the land is located.

(e) A disannexation of a groundwater conservation district's territory under this section does not diminish or impair the rights of the holders of any outstanding and unpaid bonds, warrants, or other obligations of that groundwater conservation district. Property disannexed under this section is not released from its pro rata share of any indebtedness of that groundwater conservation district at the time of the disannexation, and that groundwater conservation district may continue to tax the property until that debt is paid.

SECTION 3. (a) All governmental acts and proceedings of the Trinity Glen Rose Groundwater Conservation District relating to the annexation of territory to the municipality or to the district that were taken before the effective date of this Act are validated, ratified, and confirmed in all respects as if they had been taken as authorized by law.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 4. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.
SECTION 5. 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 5, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 382
H.B. No. 1568
AN ACT relating to authorizing an exemption from tuition and fees charged by a junior college district for employees of the district.

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

SECTION 1. Subchapter E, Chapter 130, Education Code, is amended by adding Section 130.0851 to read as follows:

Sec. 130.0851. TUITION EXEMPTION FOR DISTRICT EMPLOYEES. The governing board of a junior college district may exempt a district employee who enrolls in courses offered by the district from the payment of all or part of the tuition or fees charged to a student at a junior college by the district.

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 20, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.

CHAPTER 383
H.B. No. 1579
AN ACT relating to a county's removal of flood water resulting from a natural disaster in certain communities.

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

SECTION 1. Chapter 561, Local Government Code, is amended by adding Section 561.010 to read as follows:

Sec. 561.010. PROVISION OF FLOOD RELIEF TO COLONIAS. (a) In this section, “colonia” means a geographic area that consists of 11 or more dwellings located in close proximity to each other in an area that may be described as a community or neighborhood and that:

(1) has a majority population composed of individuals and families of low income, as defined by Section 2306.001, Government Code, and based on the federal Office of Management and Budget poverty index, and meets the qualifications of an economically distressed area under Section 17.921, Water Code; or

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