(8) Section 2001.417;
(9) Section 2001.457(d);
(10) Section 2001.505(c);
(11) Section 2001.553(b); and

SECTION 43. The Texas Lottery Commission shall adopt the rules required by Chapter 2001, Occupations Code, as amended by this Act, not later than April 1, 2010.

SECTION 44. (a) If on or after the effective date of this Act a licensed authorized organization has a balance in its bingo account of more than the maximum amount of operating capital allowed by Chapter 2001, Occupations Code, as amended by this Act, the organization shall distribute the funds in excess of the organization’s maximum operating capital allowed by Chapter 2001, Occupations Code, as amended by this Act, not later than:

(1) the first anniversary of the effective date of this Act if the excess amount is less than 200 percent of the maximum amount of operating capital;
(2) the second anniversary of the effective date of this Act if the excess amount is 200 percent or more but less than 300 percent of the maximum amount of operating capital; or
(3) the third anniversary of the effective date of this Act if the excess amount is 300 percent or more of the maximum amount of operating capital.

(b) The Texas Lottery Commission may waive the requirements of Subsection (a) of this section on application and a showing of good cause by a licensed authorized organization.

(c) This section expires January 1, 2013.

SECTION 45. This Act takes effect October 1, 2009.

Passed by the House on May 1, 2009: Yeas 125, Nays 16, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 30, Nays 1.

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

CHAPTER 637

H.B. No. 1551

AN ACT
relating to the appointment of additional official court reporters for the district courts in Nueces County.

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

SECTION 1. Subchapter D, Chapter 52, Government Code, is amended by adding Section 52.049 to read as follows:

Sec. 52.049. ADDITIONAL DISTRICT COURT REPORTERS IN NUECES COUNTY.
(a) The judges of the district courts in Nueces County may employ additional official court reporters to serve the district courts in Nueces County if a majority of the district court judges believe more official court reporters are necessary.

(b) The district court judges shall, by majority vote, determine the method of hiring the additional official court reporters.

(c) The presiding judge of the district courts of Nueces County shall determine the assignments of the additional official court reporters.

(d) The total number of official court reporters serving the district courts of Nueces County may not exceed the amount that equals one and one-half full-time employees multiplied by the number of district courts in Nueces County.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 22, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.
be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 28.03(b), Penal Code, is amended to read as follows:

(b) Except as provided by Subsections (f) and (h), an offense under this section is:

(1) a Class C misdemeanor if:
   (A) the amount of pecuniary loss is less than $50; or
   (B) except as provided in Subdivision (3)(A) or (3)(B), it causes substantial inconvenience to others;

(2) a Class B misdemeanor if the amount of pecuniary loss is $50 or more but less than $500;

(3) a Class A misdemeanor if:
   (A) the amount of pecuniary loss is:
      (i) $500 or more but less than $1,500; or
      (ii) less than $1,500 and the actor causes in whole or in part impairment or interruption of public communications, public transportation, public gas or power supply, or other public service, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public communications or public gas or power supply;
   (B) the actor causes in whole or in part impairment or interruption of any public water supply, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public water supply, regardless of the amount of the pecuniary loss;

(4) a state jail felony if the amount of pecuniary loss is:
   (A) $1,500 or more but less than $20,000;
   (B) less than $1,500, if the property damaged or destroyed is a habitation and if the damage or destruction is caused by a firearm or explosive weapon; [se]
   (C) less than $1,500, if the property was a fence used for the production or containment of:
      (i) cattle, bison, horses, sheep, swine, goats, exotic livestock, or exotic poultry; or
      (ii) game animals as that term is defined by Section 63.001, Parks and Wildlife Code; or
   (D) less than $20,000 and the actor causes wholly or partly impairment or interruption of public communications, public transportation, public gas or power supply, or other public service, or causes to be diverted wholly, partly, or in any manner, including installation or removal of any device for any such purpose, any public communications or public gas or power supply;

(5) a felony of the third degree if the amount of the pecuniary loss is $20,000 or more but less than $100,000;

(6) a felony of the second degree if the amount of pecuniary loss is $100,000 or more but less than $200,000; or

(7) a felony of the first degree if the amount of pecuniary loss is $200,000 or more.