(e) A county may create a fund to be used by the county to pay the costs incurred in disposing of the bodies of deceased paupers and administering the county's body disposition activities. If money placed in a trust under Subsection (d) is not claimed by the first anniversary of the date of disposition of the pauper's body, the county may transfer the money to the fund created under this subsection.

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 30, 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 405
H.B. No. 1881
AN ACT relating to the creation of the Texas Equine Incentive Program.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.044 to read as follows:

Sec. 12.044. EQUINE INCENTIVE PROGRAM. (a) The department shall create and administer an equine incentive program to provide an incentive for the owners of certain Texas-based horses to enter the horses as participants in horse events in this state. The program may apply only to the following breeds of horses:

(1) Appaloosa horses;
(2) paint horses; and
(3) quarter horses.

(b) On the filing of an annual report with the applicable breeders' association, the owner of a stallion that has bred more than five mares during the 12-month period preceding the report shall submit a duplicate of the report to the department for the sixth and any subsequent mare bred by the stallion. An owner required to submit a duplicate breeding report by this subsection shall pay the department an equine incentive program fee in an amount of not less than $30 per mare bred, as determined by the department, in connection with each report submitted to the department.

(c) An owner required by Subsection (b) to submit a duplicate breeding report and equine incentive program fee may elect not to participate in the program by giving written notice to the department not later than the 30th day before the owner's annual breeding report is due to the applicable breeders' association.

(d) Notwithstanding Subsection (b), the owner of a stallion that has bred fewer than six mares may elect to participate in the program by submitting a duplicate breeding report and paying the equine incentive program fee required by Subsection (b) for each mare bred by the stallion.

(e) The department by rule shall provide for the use of fees collected under Subsection (b) to grant equine incentive awards to the owners of eligible foals that participate in horse events in this state. A foal is eligible for an incentive award under this section only if an equine incentive program fee has been paid on behalf of the foal's dam.

(f) The department by rule shall establish a point system by which the owner of an eligible foal may receive an equine incentive award based on the foal's participation in horse events held in this state that are sanctioned by the applicable horse breeders' association.
(g) The department may use not more than five percent of the fees collected under Subsection (b) to administer the program.

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

Passed by the House on April 23, 2009: Yeas 144, Nays 1, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 406

H.B. No. 1883

AN ACT

relating to the status of certain transporters of natural or synthetic gas and liquified natural gas marine terminals as gas utilities.

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

SECTION 1. Section 121.005, Utilities Code, is amended by adding Subsection (d) to read as follows:

(d) The railroad commission may review a certification made by a person under Subsection (a). The railroad commission shall invite a person whose certification is being reviewed to an informal meeting to resolve the person’s status under this subsection. If the person’s status remains unresolved after the informal meeting and there is sufficient reason to move forward, the railroad commission shall provide notice and an opportunity for a hearing. After notice and an opportunity for a hearing, the railroad commission may determine whether the person is eligible for an exemption under this subsection.

SECTION 2. Subsection (a), Section 121.007, Utilities Code, is amended to read as follows:

(a) A person operating a natural gas pipeline, a liquefied natural gas pipeline, or an underground storage facility is not a gas utility if the person certifies to the railroad commission that the person uses the pipeline or underground storage facility solely to deliver natural gas or liquefied natural gas or the constituents of natural gas or liquefied natural gas:

(1) to a liquefied natural gas marine terminal;

(2) from a liquefied natural gas marine terminal to the owner of the gas or another person on behalf of the owner of the gas; [or]

(3) that is acquired, liquefied, or sold by the person as necessary for the operation or maintenance of its facility that is excluded as a gas utility under this section; or

(4) that has been stored for export.

SECTION 3. This Act takes effect September 1, 2009.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1883 on May 23, 2009: Yeas 138, Nays 0, 2 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.