CHAPTER 430
H.B. No. 2128

AN ACT
relating to the enforcement of regulations regarding the sale of plastic bulk merchandise containers.

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

SECTION 1. Section 35.63, Business & Commerce Code, as added by Chapter 307, Acts of the 80th Legislature, Regular Session, 2007, is amended by amending Subsection (f) and adding Subsection (g) to read as follows:

(f) The attorney general or appropriate prosecuting attorney may:

(1) investigate an alleged violation of this section; and
(2) sue to collect a civil penalty under this section.

(g) The attorney general or appropriate prosecuting attorney may recover reasonable expenses, including court costs, attorney's fees, investigative costs, witness fees, and deposition expenses, incurred in recovering a civil penalty under this section.

SECTION 2. Section 204.004, Business & Commerce Code, as effective September 1, 2009, is amended to read as follows:

Sec. 204.004. INVESTIGATIVE AND ENFORCEMENT AUTHORITY [OF CIVIL PENALTY]. (a) The attorney general or appropriate prosecuting attorney may:

(1) investigate an alleged violation of this chapter; and
(2) sue to collect a civil penalty under this chapter.

(b) The attorney general or appropriate prosecuting attorney may recover reasonable expenses, including court costs, attorney's fees, investigative costs, witness fees, and deposition expenses, incurred in recovering a civil penalty under this section.

SECTION 3. (a) Section 1 of this Act takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in existing codes does not become law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in existing codes becomes law, Section 1 of this Act has no effect.

(b) Section 2 of this Act takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in existing codes becomes law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in existing codes does not become law, Section 2 of this Act has no effect.

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

Passed by the House on May 15, 2009: Yeas 127, Nays 12, 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 431
H.B. No. 2130

AN ACT
relating to the assistance of the Texas Rangers in the investigation of certain sex offenses.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.022 to read as follows: