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:

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Art. 2.02. ASSISTANCE OF TEXAS RANGERS. (a) The attorney representing the state may request the Texas Rangers division of the Department of Public Safety to provide assistance to a local law enforcement agency investigating an offense that:

(1) is alleged to have been committed by an elected officer of the political subdivision served by the local law enforcement agency; and

(2) on conviction or adjudication, would subject the elected officer to registration as a sex offender under Chapter 62.

(b) For purposes of this article, "assistance" includes investigative, technical, and administrative assistance.

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 22, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 432

H.B. No. 2168

AN ACT

relating to the powers of a sheriff's department civil service commission in certain counties regarding an appeal of a disciplinary action.

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

SECTION 1. Section 158.035, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) In rendering a final decision regarding a disciplinary action by the department, the commission may only sustain, overturn, or reduce the disciplinary action. The commission may not enhance a disciplinary action by the department.

SECTION 2. The change in law made by this Act applies only to a decision made by a sheriff's department civil service commission on or after the effective date of this Act. A decision made by a sheriff's department civil service commission before the effective date of this Act is governed by the law in effect when the decision was made, and the former law is continued in effect for that purpose.

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

Passed by the House on April 24, 2009: Yeas 139, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 433

H.B. No. 2181

AN ACT

relating to the computation of a person's age under the Election Code.

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