CHAPTER 443

H.B. No. 2263

AN ACT
relating to extending the high school innovation grant initiative to middle and junior high schools.

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

SECTION 1. The heading to Section 39.115, Education Code, is amended to read as follows:

Sec. 39.115. [HIGH SCHOOL] INNOVATION GRANT INITIATIVE FOR MIDDLE, JUNIOR HIGH, AND HIGH SCHOOL CAMPUSES.

SECTION 2. Sections 39.115(a), (b), and (d), Education Code, are amended to read as follows:

(a) From funds appropriated for that purpose, the commissioner may establish a grant program under which grants are awarded to middle, junior high, and high school [secondary] campuses and school districts to support:

(1) the implementation of innovative [high school] improvement programs that are based on the best available research regarding middle, junior high, or high school reform, dropout prevention, and preparing students for postsecondary coursework or employment;

(2) enhancing education practices that have been demonstrated by significant evidence of effectiveness; and

(3) the alignment of grants and programs to the strategic plan adopted under Section 39.357.

(b) Before awarding a grant under this section, the commissioner may require a campus or school district to:

(1) obtain local matching funds; or

(2) meet other conditions, including developing a personal graduation plan under Section 28.0212 for each student enrolled at the campus or in a district middle, junior high, or high school.

(d) The commissioner may use funds appropriated under this section to support technical assistance services for school districts and open-enrollment charter schools to implement an [a high school] improvement program under this section.

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

Passed by the House on April 9, 2009: Yeas 148, Nays 0, 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 444

H.B. No. 2283

AN ACT
relating to increasing state employee participation in the TexaSaver program.

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

SECTION 1. Section 609.006(a), Government Code, is amended to read as follows:

(a) A deferred compensation plan must conform to federal law to provide that deferred amounts and investment income are not includable, for federal income tax purposes, in the gross income of a participating employee until distributed to the employee, subject to the employee’s option to designate all or a portion of deferred amounts as Roth contributions.
under Section 609.5021, the federal income tax treatment of which is governed by Section 402A, Internal Revenue Code of 1986.

SECTION 2. Subchapter C, Chapter 609, Government Code, is amended by adding Section 609.5021 to read as follows:

Sec. 609.5021. ROTH CONTRIBUTION PROGRAMS. The board of trustees may:

(1) establish a qualified Roth contribution program in accordance with Section 402A, Internal Revenue Code of 1986, under which an employee may designate all or a portion of the employee’s contribution under a 401(k) plan as a Roth contribution at the time the contribution is made; and

(2) if authorized by federal law, establish a program in accordance with the applicable federal law under which an employee may designate all or a portion of the employee’s contribution under a 457 plan as a Roth contribution at the time the contribution is made.

SECTION 3. Section 609.5025(d), Government Code, is amended to read as follows:

(d) At any time, an employee participating in a 401(k) plan under this section may, in accordance with rules adopted by the board of trustees, elect to end participation in the 401(k) plan, to contribute to a different investment product, [49] to contribute a different amount to the plan, or to designate all or a portion of the employee’s contribution as a Roth contribution subject to the availability of a Roth contribution program under Section 609.5021.

SECTION 4. Subchapter C, Chapter 609, Government Code, is amended by adding Section 609.5026 to read as follows:

Sec. 609.5026. STATE MATCHING CONTRIBUTIONS. Subject to a separate legislative appropriation for that purpose, the Employees Retirement System of Texas may make matching contributions to a 401(k) plan on behalf of employees participating in the plan solely from, and in an amount specified by, the appropriation.

SECTION 5. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 128, Nays 1, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 2283 on May 23, 2009: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 19, 2009: Yeas 30, Nays 0.

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

CHAPTER 445
H.B. No. 2289
AN ACT
relating to discharging or releasing inmates from the Texas Department of Criminal Justice at or near certain department facilities.

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

SECTION 1. Chapter 493, Government Code, is amended by adding Section 493.029 to read as follows:

Sec. 493.029. LOCAL AND REGIONAL RELEASE AND DISCHARGE PROCEDURE. (a) The department shall establish a procedure through which an inmate being discharged from the department or being released on parole or to mandatory supervision is discharged or released, as applicable, from:

(1) the facility in which the inmate is serving the inmate’s sentence; or

(2) the facility designated as a regional release facility under Subsection (b) that is nearest to the facility in which the inmate is serving the inmate’s sentence.