the person's amateur call letters as assigned by the Federal Communications Commission. A person may register more than one vehicle equipped with mobile amateur radio equipment under this section, and the department shall issue license plates that include the same amateur call letters for each vehicle.

(b) The fee for issuance of the license plates is $2 for the first year and $1 for each subsequent year.

SECTION 37. Subsection (b), Section 504.510, Transportation Code, is amended to read as follows:

(b) The fee for issuance of the license plates is $6 [§10].

SECTION 38. Subsection (a), Section 504.801, Transportation Code, is amended to read as follows:

(a) The department may create new specialty license plates on its own initiative or on receipt of an application from a potential sponsor. A new specialty license plate created under this section must comply with each requirement of Section 504.702 unless the license is created by the department on its own initiative. The department may permit a specialty license plate created under this section to be personalized. The redesign of an existing specialty license plate at the request of a sponsor shall be treated like the issuance of a new specialty license plate, except that the department may require a nonrefundable design fee [lower deposit amount to reflect the actual costs of redesigning the license plate].

SECTION 39. The following provisions of the Transportation Code are repealed:

(1) Section 502.007;
(2) Subsection (b), Section 502.161;
(3) Section 502.170;
(4) Subsection (c), Section 502.1705;
(5) Section 502.187;
(6) Subsection (e), Section 502.201;
(7) Section 502.453;
(8) Subsection (b), Section 504.409; and
(9) Section 504.5011.

SECTION 40. Sections 1 through 16 of this Act take effect September 1, 2009. Sections 17 through 39 of this Act take effect September 1, 2011.

Passed by the House on April 22, 2009: Yeas 149, Nays 0, 1 present, not voting; the House refused to concur in Senate amendments to H.B. No. 2553 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 2553 on May 31, 2009: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 2553 on June 1, 2009: Yeas 30, Nays 1.

Approved June 19, 2009.
Effective as shown in § 40.

CHAPTER 1137

H.B. No. 2555

AN ACT
relating to the exemption from ad valorem taxation of certain property acquired to provide low-income housing or used for charitable purposes.

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

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SECTION 1. Section 11.181(b), Tax Code, is amended to read as follows:

(b) Property may not be exempted under Subsection (a) after the fifth anniversary of the date the organization acquires the property.

SECTION 2. (a) Section 11.184, Tax Code, is amended by amending Subsection (c) and adding Subsections (l), (m), and (n) to read as follows:

(c) A qualified charitable organization is entitled to an exemption from taxation of:

(1) the buildings and other real property and the tangible personal property that:
   (A) are owned by the organization; and
   (B) except as permitted by Subsection (d), are used exclusively by the organization and other organizations eligible for an exemption from taxation under this section or Section 11.18; and

(2) the real property owned by the organization consisting of:
   (A) an incomplete improvement that:
      (i) is under active construction or other physical preparation; and
      (ii) is designed and intended to be used exclusively by the organization and other organizations eligible for an exemption from taxation under this section or Section 11.18; and
   (B) the land on which the incomplete improvement is located that will be reasonably necessary for the use of the improvement by the organization and other organizations eligible for an exemption from taxation under this section or Section 11.18.

(l) Notwithstanding the other provisions of this section, a corporation that is not a qualified charitable organization is entitled to an exemption from taxation of property under this section if:

(1) the corporation is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt entity under Section 501(c)(2) of that code;

(2) the corporation holds title to the property for, collects income from the property for, and turns over the entire amount of that income, less expenses, to a qualified charitable organization; and

(3) the qualified charitable organization would qualify for an exemption from taxation of the property under this section if the qualified charitable organization owned the property.

(m) Before a corporation described by Subsection (l) may submit an application for an exemption under this section, the qualified charitable organization for which the corporation holds title to the property must apply to the comptroller for the determination described by Subsection (e) with regard to the qualified charitable organization. The application for the determination must also include an application to the comptroller for a determination of whether the corporation meets the requirements of Subsections (l)(1) and (2). The corporation shall submit with the application for an exemption under this section a copy of the determination letter issued by the comptroller. The chief appraiser shall accept the copy of the letter as conclusive evidence of the matters described by Subsection (h) as well as of whether the corporation meets the requirements of Subsections (l)(1) and (2).

(n) Notwithstanding Subsection (k), in order for a corporation to continue to receive an exemption under Subsection (l) after the fifth tax year after the year in which the exemption is granted, the qualified charitable organization for which the corporation holds title to property must obtain a new determination letter and the corporation must reapply for the exemption.

(b) Section 11.184(b), Tax Code, is repealed.

(c) This section applies only to ad valorem taxes imposed for a tax year that begins on or after the effective date of this section.

(d) This section takes effect January 1, 2010.
SECTION 3. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

SECTION 4. 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 22, 2009: Yeas 149, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 2555 on May 31, 2009: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective except as shown in § 2(d).

CHAPTER 1138
H.B. No. 2609

AN ACT
relating to the prosecution and punishment of the offense of criminal trespass.

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

SECTION 1. Subsection (a), Section 30.05, Penal Code, is amended to read as follows:

(a) A person commits an offense if the person enters or remains on or in property of another, including residential land, agricultural land, a recreational vehicle park, a building, or an aircraft or other vehicle, without effective consent and the person:

(1) had notice that the entry was forbidden; or
(2) received notice to depart but failed to do so.

SECTION 2. Subsection (b), Section 30.05, Penal Code, is amended by adding Subdivisions (8), (9), (10), and (11) to read as follows:

(8) “Protected freshwater area” has the meaning assigned by Section 90.001, Parks and Wildlife Code.

(9) “Recognized state” means another state with which the attorney general of this state, with the approval of the governor of this state, negotiated an agreement after determining that the other state:

(A) has firearm proficiency requirements for peace officers; and
(B) fully recognizes the right of peace officers commissioned in this state to carry weapons in the other state.

(10) “Recreational vehicle park” means a tract of land that has rental spaces for two or more recreational vehicles, as defined by Section 522.004, Transportation Code.

(11) “Residential land” means real property improved by a dwelling and zoned for or otherwise authorized for single-family or multifamily use.

SECTION 3. Subsections (d) and (e), Section 30.06, Penal Code, are amended to read as follows:

(d) An offense under this section is a Class B misdemeanor, except as provided by Subdivisions (2) and (3);