stick, stun gun, or personal protection chemical dispensing device with the intention of harming the officer or a third person.

(c) The actor is presumed to have known that the peace officer, parole officer, community supervision and corrections department officer, or commissioned security officer was a peace officer, parole officer, community supervision and corrections department officer, or commissioned security officer if:

(1) the officer was wearing a distinctive uniform or badge indicating his employment;

or

(2) the officer identified himself as a peace officer, parole officer, community supervision and corrections department officer, or commissioned security officer.

(d) It is a defense to prosecution under this section that the defendant took or attempted to take the weapon from a peace officer, parole officer, community supervision and corrections department officer, or commissioned security officer who was using force against the defendant or another in excess of the amount of force permitted by law.

SECTION 4. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect at the time the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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

Passed by the House on April 28, 2009: Yeas 148, 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 943

H.B. No. 3206

AN ACT

relating to the implementation of the exemption from ad valorem taxation for pollution control property.

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

SECTION 1. Section 11.31, Tax Code, is amended by adding Subsections (g-1) and (n) to read as follows:

(g-1) The standards and methods for making a determination under this section that are established in the rules adopted under Subsection (g) apply uniformly to all applications for determinations under this section, including applications relating to devices, or methods for the control of air, water, or land pollution included on a list adopted by the Texas Commission on Environmental Quality under Subsection (k).

(n) The Texas Commission on Environmental Quality shall establish a permanent advisory committee consisting of representatives of industry, appraisal districts, taxing units, and environmental groups, as well as members who are not representatives of any of those entities but have substantial technical expertise in pollution control technology and environmental engineering, to advise the commission regarding the implementation of this section. Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory committee.

SECTION 2. As soon as practicable after the effective date of this Act, the Texas Commission on Environmental Quality shall appoint the initial members of the advisory committee under Section 11.31(n), Tax Code, as added by this Act.

SECTION 3. (a) The change in law made by this Act applies only to a determination under Section 11.31, Tax Code:
(1) issued before the effective date of this Act that is not final as of the effective date of this Act or issued on or after the effective date of this Act; and

(2) the application for which:

(A) was filed before the effective date of this Act but not before January 1, 2009; or

(B) is filed on or after the effective date of this Act.

(b) A determination under Section 11.31, Tax Code, that is final as of the effective date of this Act or the application for which was filed before January 1, 2009, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

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

Passed by the House on May 15, 2009: Yeas 140, Nays 0, 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 944

H.B. No. 3226

AN ACT

relating to the payment of temporary housing costs for certain individuals who are released or are eligible for release on parole or to mandatory supervision.

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

SECTION 1. Subchapter E, Chapter 508, Government Code, is amended by adding Section 508.157 to read as follows:

Sec. 508.157. TEMPORARY HOUSING ON RELEASE. (a) This section applies only to inmates who are eligible for release on parole or to mandatory supervision and to releasees.

(b) The department may issue payment for the cost of temporary post-release housing for an inmate described by Subsection (a) or for a releasee that meets any conditions or requirements imposed by a parole panel and is located in the county of legal residence of the inmate or releasee.

(c) The amount of payment issued under Subsection (b) may not exceed an amount that is equal to the cost the department would incur to incarcerate the inmate for the period for which the payment is issued.

(d) The department shall issue payment under Subsection (b) out of funds appropriated by the legislature to the department for use in administering the parole system with respect to the housing of inmates on their release.

(e) The executive director of the Texas Department of Criminal Justice shall adopt rules as necessary to implement this section, including rules that ensure that the food, hygiene, and clothing needs of an inmate or releasee on whose behalf payment is issued under this section are adequately met during the period for which the payment is issued.

(f) Not later than September 30, 2010, for the first report and September 30, 2011, for the second report, the department shall submit to the Criminal Justice Legislative Oversight Committee a report that covers the period of August 1 of the year preceding the year in which the report is submitted through September 1 of the year in which the report is submitted and that includes:

(1) the total number of inmates and releasees on whose behalf payment is issued under this section;