available for distribution, the claims shall be paid on a pro rata basis in the manner described in Section 443.301.

(d) Amounts advanced that are not needed to pay administrative expenses or policy claims shall be returned to the fund account. On a final distribution under Section 443.302 or the termination of a delinquency proceeding, any funds of the unauthorized insurer remaining after the payment in full of administrative expenses and policy claims shall be used to repay the advance, up to the amount of the advance.

(e) A person who has a policy claim may receive funds deposited or advanced under this chapter only in accordance with this section.

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 15, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1027
H.B. No. 4343
AN ACT relating to access to certain criminal history record information maintained by the Department of Public Safety.

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

SECTION 1. Section 411.081(i), Government Code, is amended to read as follows:

(i) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure to the following noncriminal justice agencies or entities only:

1. the State Board for Educator Certification;
2. a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement;
3. the Texas Medical Board;
4. the Texas School for the Blind and Visually Impaired;
5. the Board of Law Examiners;
6. the State Bar of Texas;
7. a district court regarding a petition for name change under Subchapter B, Chapter 45, Family Code;
8. the Texas School for the Deaf;
9. the Department of Family and Protective Services;
10. the Texas Youth Commission;
11. the Department of Assistive and Rehabilitative Services;
12. the Department of State Health Services, a local mental health service, a local mental retardation authority, or a community center providing services to persons with mental illness or retardation;
13. the Texas Private Security Board;
14. a municipal or volunteer fire department;
15. the Texas Board of Nursing;
16. a safe house providing shelter to children in harmful situations;
17. the Texas Board of Nursing;
(17) a public or nonprofit hospital or hospital district;
(18) the Texas Juvenile Probation Commission;
(19) the securities commissioner, the banking commissioner, the savings and mortgage
lending commissioner, or the credit union commissioner;
(20) the Texas State Board of Public Accountancy;
(21) the Texas Department of Licensing and Regulation;
(22) the Health and Human Services Commission;
(23) the Department of Aging and Disability Services; [and]
(24) the Texas Education Agency; and
(25) the Texas Department of Insurance.

SECTION 2. Section 411.081(i), Government Code, as amended by this Act, applies only
to the disclosure of criminal history record information that is the subject of an order of
nondisclosure issued on or after the effective date of this Act. The disclosure of criminal
history record information that is the subject of an order of nondisclosure issued before the
effective date of this Act is governed by the law in effect on the date the order of
nondisclosure was issued, and that former law is continued in effect for that purpose.

SECTION 3. 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 May 7, 2009: Yeas 146, Nays 0, 1 present, not voting; passed
by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1028
H.B. No. 4353

AN ACT
relating to the licensing of certain nurses who will practice in border counties.

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

SECTION 1. Subchapter F, Chapter 301, Occupations Code, is amended by adding
Section 301.262 to read as follows:

Sec. 301.262. SPECIAL LICENSE. (a) The board may issue a license under this
section to a person licensed to practice nursing in Mexico if the person:
(1) graduated from an accredited nursing program in Mexico;
(2) provides a report acceptable to the board issued by a credentials evaluation service
approved by the board;
(3) applies on a form prescribed by the board and pays the fee required by the board;
(4) has received a score of at least 475 on a Test of English as a Foreign Language
examination;
(5) has received a score acceptable to the board on an English language version of the
appropriate National Council Licensure Examination;
(6) is eligible for employment in the United States; and
(7) will practice nursing in a county that borders Mexico.

(b) A license issued under this section is valid for one year and may not be renewed. A
person who holds or has held a license issued under this section may apply for another type
of license under this chapter.