(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.

2661
(c) A person who holds a license issued under this section may practice nursing only as an employee of a hospital located in a county that borders Mexico.

(d) A person who holds a license issued under this section is not entitled to a multistate licensing privilege to practice under the Nurse Licensure Compact under Chapter 304.

(e) This section expires September 1, 2013.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 95, Nays 30, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 30, Nays 1.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 1029

H.B. No. 4358

AN ACT

relating to rulemaking authority for administrative penalties assessed for violations of the Insurance Code.

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

SECTION 1. Subchapter A, Chapter 84, Insurance Code, is amended by adding Section 84.004 to read as follows:

Sec. 84.004. RULEMAKING AUTHORITY. (a) The commissioner may adopt and enforce reasonable rules that the commissioner determines necessary to accomplish the purposes of this chapter.

(b) The commissioner may establish by rule the amount of an administrative penalty to be imposed under Section 84.022 for a specific violation.

(c) The existence or absence of a rule adopted under this chapter does not limit the commissioner's authority to take any action authorized by law.

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 22, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1030

H.B. No. 4359

AN ACT

relating to the registration with the Texas Department of Insurance of certain contract examiners.

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

SECTION 1. Section 751.052, Insurance Code, is amended to read as follows:

Sec. 751.052. COORDINATION WITH OTHER STATES; REGISTRATION OF CONTRACT EXAMINER. (a) The commissioner shall coordinate the department's market analysis and examination efforts with other states through the National Association of Insurance Commissioners.