(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.
(b) A person with whom another state contracts to perform any market analysis or examination initiated by the other state of an insurer domiciled in this state shall register with and provide the following information to the department’s chief examiner:

1. The person’s name;
2. If the person is not an individual, the identity of each examiner or other person who will perform any part of the market analysis or examination;
3. The name of the state that contracted with the person;
4. The identity of the insurer to be examined; and
5. A description of each issue that the person has been contracted to examine.

(c) It is a violation of this code for a person to accept compensation from multiple states for the same examination, if doing so results in duplicative costs to the insurer being examined. It is not a violation of this code for:

1. An examiner to conduct an examination of an insurer for the benefit of multiple states in a coordinated examination; and
2. The examiner to accept compensation from the states participating in the coordinated examination to reduce the examination costs to the insurer being examined.

SECTION 2. Subchapter C, Chapter 401, Insurance Code, is amended by adding Section 401.107 to read as follows:

Sec. 401.107. REGISTRATION OF CONTRACT EXAMINERS. (a) A person with whom another state contracts to perform any examination initiated by the other state of an insurer domiciled in this state shall register with and provide the following information to the department’s chief examiner:

1. The person’s name;
2. If the person is not an individual, the identity of each examiner or other person who will perform any part of the examination;
3. The name of the state that contracted with the person;
4. The identity of the insurer to be examined; and
5. A description of each issue that the person has been contracted to examine.

(b) It is a violation of this code for a person to accept compensation from multiple states for the same examination, if doing so results in duplicative costs to the insurer being examined. It is not a violation of this code for:

1. An examiner to conduct an examination of an insurer for the benefit of multiple states in a coordinated examination; and
2. The examiner to accept compensation from the states participating in the coordinated examination to reduce the examination costs to the insurer being examined.

SECTION 3. Section 4053.107, Insurance Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) A person with whom another state contracts to perform any examination initiated by the other state of a managing general agent licensed under this chapter shall register with and provide the following information to the department’s chief examiner:

1. The person’s name;
2. If the person is not an individual, the identity of each examiner or other person who will perform any part of the examination;
3. The name of the state that contracted with the person;
4. The identity of the managing general agent to be examined; and
5. A description of each issue that the person has been contracted to examine.

(e) It is a violation of this code for a person to accept compensation from multiple states for the same examination, if doing so results in duplicative costs to the managing general agent being examined. It is not a violation of this code for:

1. An examiner to conduct an examination of a managing general agent for the benefit of multiple states in a coordinated examination; and
(2) the examiner to accept compensation from the states participating in the coordinated examination to reduce the examination costs to the managing general agent being examined.

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 15, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1031

H.B. No. 4360

AN ACT
relating to revenue sources for certain venue projects.

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

SECTION 1. Section 334.042(c), Local Government Code, is amended to read as follows:

(c) The municipality or county may deposit into the venue project fund:

(1) money received by the municipality or county from innovative funding concepts such as the sale or lease of luxury boxes or the sale of licenses for personal seats; 

(2) any other revenue received by the municipality or county from the approved venue project, including stadium rental payments and revenue from concessions and parking;

(3) if the revenue is not otherwise dedicated, all or a portion of any revenue the municipality or county receives from bonuses, delay rentals, royalties, and any other payments the municipality or county receives as the owner of oil, gas, and other mineral interests;

(4) if the revenue is not otherwise dedicated, all or a portion of any revenues the municipality or county receives from the fees, payments, or charges imposed by:

(A) a joint operating board to which a municipality or county is a party; or

(B) a nonprofit corporation created by and acting on behalf of a county or municipality; and

(5) any other revenue the municipality by ordinance or the county by order determines is appropriate for use in financing a venue project and related infrastructure.

SECTION 2. Section 334.201, Local Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b), if the approved venue project consists of three or more separate but adjacent venue facilities, the municipality or county may impose the tax during any hours.

SECTION 3. Section 334.202, Local Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Regardless of the method of imposition, the amount of the tax may not exceed $3 for each motor vehicle, except as provided by Subsection (b-1).

(b-1) A municipality with a population of more than 700,000 within a county with a population of more than one million adjacent to a county with a population of more than two million may impose the tax authorized by this subchapter at a rate not to exceed $5 for each motor vehicle.

SECTION 4. Section 334.203(a), Local Government Code, is amended to read as follows:

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