(c) Any adjustments to the emissions profile implemented by the legislature in response to a report required by this section do not apply to an application considered administratively complete on or before the date the adjustment takes effect.

SECTION 8. The comptroller shall adopt rules under Section 490.352, Government Code, as added by this Act, not later than December 31, 2010.

SECTION 9. Not later than January 1, 2010, the Texas Commission on Environmental Quality shall adopt rules as necessary to implement Section 382.003, Health and Safety Code, as amended by this Act.

SECTION 10. Section 151.334, Tax Code, as added by this Act, does not affect taxes imposed before the effective date of this Act, and the law in effect before the effective date of this Act is continued in effect for purposes of the liability for and collection of those taxes.

SECTION 11. The Railroad Commission of Texas may adopt rules as necessary to implement Section 202.0545, Tax Code, as amended by this Act.

SECTION 12. The comptroller of public accounts may adopt rules as necessary to implement Section 202.0545, Tax Code, as amended by this Act.

SECTION 13. This Act takes effect September 1, 2009.

Passed by the House on May 5, 2009: Yeas 140, Nays 3, 1 present, not voting; the House refused to concur in Senate amendments to H.B. No. 469 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. 469 on May 31, 2009: Yeas 141, Nays 5, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; 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. 469 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

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CHAPTER 1110

H.B. No. 715

AN ACT
relating to motor vehicle inspection stations that perform emissions inspections using only the onboard diagnostic system of inspected vehicles.

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

SECTION 1. Subchapter F, Chapter 548, Transportation Code, is amended by adding Section 548.3075 to read as follows:

Sec. 548.3075. LIMITED EMISSIONS INSPECTIONS. (a) In this section, "limited emissions inspection" means an emissions inspection of a motor vehicle conducted only by using the onboard diagnostic system of the vehicle.

(b) A department rule that allows a qualified inspection station to perform a limited emissions inspection of a motor vehicle may not restrict the station to fewer than 150 inspections per month.

SECTION 2. This Act takes effect December 31, 2010.

Passed by the House on April 28, 2009: Yeas 149, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 715 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. 715 on May 31, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 25, 2009: Yeas 27, Nays 4; 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. 715 on June 1, 2009: Yeas 27, Nays 4.

Approved June 19, 2009.
Effective December 31, 2010.

CHAPTER 1111

H.B. No. 829

AN ACT
relating to appeals to the commissioner of education.

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

SECTION 1. Section 7.057, Education Code, is amended by amending Subsection (b) and adding Subsection (a-1) to read as follows:

(a-1) A person is not required to appeal to the commissioner before pursuing a remedy under a law outside of Title 1 or this title to which Title 1 or this title makes reference or with which Title 1 or this title requires compliance.

(b) Except as provided by Subsection (c), the commissioner after due notice to the parties interested shall, not later than the 180th day after the date an appeal under Subsection (a) is filed, hold a hearing and issue a decision without cost to the parties involved.

In conducting a hearing under this subsection, the commissioner has the same authority relating to discovery and conduct of a hearing as a hearing examiner has under Subchapter F, Chapter 21. This section does not deprive any party of any legal remedy.

SECTION 2. Section 7.057(b), Education Code, as amended by this Act, applies only to an appeal to the commissioner of education filed on or after the effective date of this Act. An appeal to the commissioner of education filed before the effective date of this Act is governed by the law in effect on the date the appeal was filed, and that 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 1, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 23, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1112

H.B. No. 882

AN ACT
relating to a residential tenant's rights and remedies after certain unlawful conduct.

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

SECTION 1. Section 92.008(b), Property Code, is amended to read as follows:

(b) Except as provided by Subsections (c) and (d), a landlord may not interrupt or cause the interruption of water, wastewater, gas, or electric service furnished to a tenant by the landlord as an incident of the tenancy or by other agreement unless the interruption results from bona fide repairs, construction, or an emergency.