(h) In adopting a methodology under Subsection (f) or creating the plan under Subsection (g), the county shall solicit input from organizations or persons located within the county who represent minority voters.

(i) The secretary of state may only select to participate in the program three counties with a population of 100,000 or more and two counties with a population of less than 100,000.

(j) Not later than January 1 of each odd-numbered year, the secretary of state shall file a report with the legislature. The report must include any complaints or concerns regarding a specific election that have been filed with the office of the secretary of state before the preparation of the report and any available information about voter turnout and waiting times at the polling places. The report may include the secretary of state’s recommendations on the future use of countywide polling places and suggestions for statutory amendment regarding the use of countywide polling places.

SECTION 2. Subchapter E, Chapter 172, Election Code, is amended by adding Section 172.127 to read as follows:

Sec. 172.127. CONTENT OF SIGN USED TO IDENTIFY POLLING PLACE LOCATION. (a) This section applies only to a polling place used to hold an election for more than one political party.

(b) A sign used to indicate the location of a polling place for a primary election or a primary runoff election must either:

(1) not contain the name of, or symbol representing, any political party that is holding an election at the polling place; or

(2) contain each name of, or each symbol representing, a political party that is holding an election at the polling place.

SECTION 3. This Act takes effect September 1, 2009.

Passed by the House on April 15, 2009: Yeas 147, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 719 on May 29, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 607

H.B. No. 732

AN ACT

relating to the removal of certain information from a physician’s medical board profile.

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

SECTION 1. Section 154.006, Occupations Code, is amended by adding Subsection (k) to read as follows:

(k) In the annual update of a physician’s profile under Subsection (g), the board shall remove any record of a formal complaint required under Subsection (b)(15) or (i) if the complaint was dismissed more than five years before the date of the update and the complaint was dismissed as baseless, unfounded, or not supported by sufficient evidence that a violation occurred, or no action was taken against the physician’s license as a result of the complaint. The board shall also remove any record of the investigation of medical malpractice claims or complaints required to be investigated by the board under Section 164.201 if the investigation was resolved more than five years before the date of the update and no action was taken against the physician’s license as a result of the investigation.

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

Passed by the House on May 15, 2009: Yeas 137, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

1392
CHAPTER 608
H.B. No. 746
AN ACT relating to expanding the availability of classrooms and other facilities for use by public junior colleges.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.975 to read as follows:

Sec. 51.975. SHARING OF UNDERUSED CLASSROOMS. (a) A public institution of higher education may make the institution's classrooms not scheduled for use by the institution or by students, student organizations, or faculty of the institution between 5 p.m. and 10 p.m. on one or more weekdays or between 8 a.m. and 5 p.m. on one or more Saturdays available for that day to another public junior college on request for teaching courses in the core curriculum, as defined by Section 61.821, or continuing education courses.

(b) A public institution of higher education that under Subsection (a) makes a classroom available to another institution shall continue to make that classroom, or a comparable classroom, available to the other institution for the duration of the semester or other academic term.

(c) An institution of higher education may charge another institution for the use of a classroom under this section at a rate not to exceed the rate permitted for this purpose as determined by the Texas Higher Education Coordinating Board. The coordinating board shall establish those rates in an amount to reimburse the host institution for utility costs and other costs, such as maintenance and custodial services, based on the infrastructure formula funding that the host institution would receive if teaching a course in that space itself for that time.

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 May 12, 2009: Yeas 148, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 746 on May 29, 2009: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 30, Nays 1.

Approved June 19, 2009.

CHAPTER 609
H.B. No. 765
AN ACT relating to supplemental payments made to certain statutory probate court judges.

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

SECTION 1. Section 25.0023, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

1393