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 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 (e) 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.