Sec. 6A. In addition to the authority to issue general obligation bonds and revenue bonds under this Act, the board may provide for the security and payment of district bonds from a pledge of a combination of ad valorem taxes as authorized by Section 6(a) of this Act and revenue and other sources as authorized by Section 6(e) of this Act.

Sec. 6B. The district may use the proceeds of bonds issued under this Act to pay:

1. any expense the board determines is reasonable and necessary to issue, sell, and deliver the bonds;
2. interest payments on the bonds during a period of acquisition or construction of a project or facility to be provided through the bonds, not to exceed five years;
3. costs related to the operation and maintenance of a project or facility to be provided through the bonds:
   A. during an estimated period of acquisition or construction, not to exceed five years; and
   B. for one year after the project or facility is acquired or constructed;
4. costs related to the financing of the bond funds, including debt service reserve and contingency funds;
5. costs related to the bond issuance;
6. costs related to the acquisition of land or interests in land for a project or facility to be provided through the bonds; and
7. costs of construction of a project or facility to be provided through the bonds, including the payment of related professional services and expenses.

SECTION 3. Chapter 135, Acts of the 58th Legislature, Regular Session, 1963, is amended by adding Section 7B to read as follows:

Sec. 7B. (a) The board may borrow money at a rate not to exceed the maximum annual percentage rate allowed by law for district obligations at the time the loan is made.

(b) To secure a loan, the board may pledge:
1. district revenue that is not pledged to pay the district’s bonded indebtedness;
2. a district tax to be imposed by the district during the 12-month period following the date of the pledge that is not pledged to pay the principal of or interest on district bonds; or
3. a district bond that has been authorized but not sold.

(c) A loan for which taxes or bonds are pledged must mature not later than the first anniversary of the date the loan is made. A loan for which district revenue is pledged must mature not later than the fifth anniversary of the date the loan is made.

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 May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 616

H.B. No. 963

AN ACT

relating to the eligibility of certain applicants for occupational licenses.

Be it enacted by the Legislature of the State of Texas: 1400
SECTION 1. Chapter 53, Occupations Code, is amended by adding Subchapter D to read as follows:

**SUBCHAPTER D. PRELIMINARY EVALUATION OF LICENSE ELIGIBILITY**

Sec. 53.101. DEFINITIONS. In this subchapter:

(1) “License” means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority; and

(B) a person must obtain to practice or engage in a particular business, occupation, or profession.

(2) “Licensing authority” means a department, commission, board, office, or other agency of the state that issues a license.

Sec. 53.102. REQUEST FOR CRIMINAL HISTORY EVALUATION LETTER. (a) A person may request a licensing authority to issue a criminal history evaluation letter regarding the person’s eligibility for a license issued by that authority if the person:

(1) is enrolled or planning to enroll in an educational program that prepares a person for an initial license or is planning to take an examination for an initial license; and

(2) has reason to believe that the person is ineligible for the license due to a conviction or deferred adjudication for a felony or misdemeanor offense.

(b) The request must state the basis for the person’s potential ineligibility.

Sec. 53.103. AUTHORITY TO INVESTIGATE. A licensing authority has the same powers to investigate a request submitted under this subchapter and the requestor’s eligibility that the authority has to investigate a person applying for a license.

Sec. 53.104. DETERMINATION OF ELIGIBILITY; LETTER. (a) If a licensing authority determines that a ground for ineligibility does not exist, the authority shall notify the requestor in writing of the authority’s determination on each ground of potential ineligibility.

(b) If a licensing authority determines that the requestor is ineligible for a license, the licensing authority shall issue a letter setting out each basis for potential ineligibility and the authority’s determination as to eligibility. In the absence of new evidence known to but not disclosed by the requestor or not reasonably available to the licensing authority at the time the letter is issued, the authority’s ruling on the request determines the requestor’s eligibility with respect to the grounds for potential ineligibility set out in the letter.

(c) A licensing authority must provide notice under Subsection (a) or issue a letter under Subsection (b) not later than the 90th day after the date the authority receives the request.

Sec. 53.105. FEES. A licensing authority may charge a person requesting an evaluation under this subchapter a fee adopted by the authority. Fees adopted by a licensing authority under this subchapter must be in an amount sufficient to cover the cost of administering this subchapter.

SECTION 2. Not later than September 1, 2010, a department, commission, board, office, or other agency of the state that issues a license to practice or engage in a particular business, profession, or occupation shall adopt rules necessary to administer Subchapter D, Chapter 53, Occupations Code, as added by this Act.

SECTION 3. Section 53.021(a), Occupations Code, is amended to read as follows:

(a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of:

(1) an offense [a felony or misdemeanor] that directly relates to the duties and responsibilities of the licensed occupation;

(2) an offense that does not directly relate to the duties and responsibilities of the licensed occupation and that was committed less than five years before the date the person applies for the license;
(3) an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or
(4) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

SECTION 4. Subchapter B, Chapter 53, Occupations Code, is amended by adding Section 53.0211 to read as follows:

Sec. 53.0211. LICENSING OF CERTAIN APPLICANTS WITH PRIOR CRIMINAL CONVICTIONS. (a) This section does not apply to an applicant for a license that would allow the applicant to provide:

(1) law enforcement services;
(2) public health, education, or safety services; or
(3) financial services in an industry regulated by the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, or the credit union commissioner.

(b) Notwithstanding any law other than Subsection (a) and unless the applicant has been convicted of an offense described by Section 53.021(a), a licensing authority shall issue to an otherwise qualified applicant who has been convicted of an offense:

(1) the license for which the applicant applied; or
(2) a provisional license described by Subsection (c).

(c) A licensing authority may issue a provisional license for a term of six months to an applicant who has been convicted of an offense.

(d) The licensing authority shall revoke a provisional license if the provisional license holder:

(1) commits a new offense;
(2) commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, if applicable; or
(3) violates the law or rules governing the practice of the occupation for which the provisional license is issued.

(e) The licensing authority shall issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if the provisional license holder does not engage in conduct described by Subsection (d).

(f) If the licensing authority revokes a provisional license under Subsection (d), the provisional license holder is disqualified from receiving the license for which the applicant originally applied.

(g) An applicant who is on community supervision, mandatory supervision, or parole and who is issued a provisional license under this section shall provide to the licensing authority the name and contact information of the probation or parole department to which the person reports. The licensing authority shall notify the probation or parole department that a provisional license has been issued. The probation or parole department shall notify the licensing authority if the person's community supervision, mandatory supervision, or parole supervision is revoked during the term of the provisional license.

SECTION 5. The changes in law made by this Act by the amendment of Section 53.021(a), Occupations Code, and the addition of Section 53.0211, Occupations Code, apply only to an application for a license filed with a licensing authority, to which Chapter 53, Occupations Code, applies, on or after the effective date of this Act. An application filed before that date is governed by the law in effect when the application is filed, and the former law is continued in effect for that purpose.

SECTION 6. 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 March 31, 2009: Yeas 147, Nays 0, 2 present, not voting; the House refused to concur in Senate amendments to H.B. No. 963 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. 963 on May 31, 2009: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 25, 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. 963 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 617

H.B. No. 965

AN ACT
relating to the issuance of specialty license plates for disabled veterans.

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

SECTION 1. Sections 504.202(b) and (g), Transportation Code, are amended to read as follows:

(b) A veteran of the United States armed forces is entitled to register, for the person's own use, two motor vehicles under this section if:

1. the person has suffered, as a result of military service:
   a. at least a 50 percent service-connected disability; or
   b. a 40 percent service-connected disability because of the amputation of a lower extremity;

2. the person receives compensation from the United States because of the disability; and

3. the motor vehicle:
   a. is owned by the person; and
   b. has a manufacturer's rated carrying capacity of two tons or less.

(g) A person who receives two license plates under this section may receive a disabled parking placard for each set of license plates without providing additional documentation.

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 28, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 618

H.B. No. 1003

AN ACT
relating to notice provided to certain victims or witnesses regarding certain inmates or defendants who are electronically monitored.

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

SECTION 1. Article 56.11, Code of Criminal Procedure, is amended by adding Subsection (a–1) and amending Subsections (d), (e), and (f) to read as follows: