of the public health and safety and the environment under this chapter and for refunds under Section 401.303.

(e) The department or commission may use money in the perpetual care account to pay for measures:

(1) to prevent or mitigate the adverse effects of abandonment of radioactive substances, default on a lawful obligation, insolvency, or other inability by the holder of a license issued by the department or commission to meet the requirements of this chapter or of department or commission rules; and

(2) to assure the protection of the public health and safety and the environment from the adverse effects of ionizing radiation;

(3) to protect the health and safety of mammography patients by assuring mammography medical records are made available to affected patients.

(f) The department or commission may provide, by the terms of a contract or lease entered into between the department or commission and any person, by the terms of a mammography certification issued by the department or commission to any person, or by the terms of a license issued to any person, for the storage, maintenance, and distribution of mammography medical records. The department or commission may provide, by the terms of a contract or lease entered into between the department or commission and any person or by the terms of a license issued by the department or commission to any person, for the decontamination, closure, decommissioning, reclamation, surveillance, or other care of a site or facility subject to department or commission jurisdiction under this chapter as needed to carry out the purpose of this chapter.

(g) The existence of the perpetual care account does not make the department or commission liable for the costs of storage, maintenance, and distribution of mammography medical records arising from a mammography certification holder's failure to store, maintain, and make available mammography medical records or for the costs of decontamination, transfer, transportation, reclamation, surveillance, or other care of radioactive substances arising from a license holder's abandonment of radioactive substances, default on a lawful obligation, insolvency, or inability to meet the requirements of this chapter or of department or commission rules.

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

Passed the Senate on April 9, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 144, Nays 0, two present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 516

S.B. No. 1107

AN ACT

relating to the requirement that driver education curriculum include information regarding distractions while driving.

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

SECTION 1. Subchapter C, Chapter 1001, Education Code, is amended by adding Section 1001.110 to read as follows:

Sec. 1001.110. INFORMATION RELATING TO DRIVING DISTRACTIONS. (a) The commissioner by rule shall require that information relating to the effect of using a wireless communication device or engaging in other actions that may distract a driver on the safe or effective operation of a motor vehicle be included in the curriculum of each driver education course or driving safety course.

(b) In developing rules under this section, the commissioner shall consult with the department.
SECTION 2. As soon as practicable after the effective date of this Act, the commissioner of education shall adopt the rules required by Section 1001.110, Education Code, as added by this Act.

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

Passed the Senate on April 9, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 143, Nays 0, two present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 517

S.B. No. 1134

AN ACT

relating to the authority for certain high school students to serve as election clerks.

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

SECTION 1. Subsection (c), Section 32.051, Election Code, is amended to read as follows:

(c) Except as provided by Section 32.0511, to be eligible to serve as a clerk of an election precinct, a person must be a qualified voter:

(1) of the county, in a countywide election ordered by the governor or a county authority or in a primary election;

(2) of the part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person’s residence; or

(3) of the political subdivision, in an election ordered by an authority of a political subdivision other than a county.

SECTION 2. Subchapter C, Chapter 32, Election Code, is amended by adding Section 32.0511 to read as follows:

Sec. 32.0511. SPECIAL ELIGIBILITY REQUIREMENTS: STUDENT ELECTION CLERKS. (a) In this section:

(1) “Educational institution” means:

(A) a public secondary school; or

(B) an accredited private or parochial secondary school.

(2) “Student” means a person enrolled in an educational institution or a home-schooled student.

(b) A student who is ineligible to serve as a clerk of an election precinct under Section 32.051(c) is eligible to serve as a clerk of an election precinct under this section if the student:

(1) at the time of appointment as an election clerk:

(A) is a student at an educational institution or attends a home school that meets the requirements of Section 25.086(a)(1), Education Code; and

(B) has the consent of:

(i) the principal of the educational institution attended by the student; or

(ii) in the case of a home-schooled student, a parent or legal guardian who is responsible for the student’s education; and

(2) at the time of service as an election clerk:

(A) is 16 years of age or older;

(B) is a United States citizen; and

(C) has completed any training course required by the entity holding the election.

(c) A student election clerk serving under this section: