CHAPTER 487

S.B. No. 662

AN ACT
relating to the establishment and use of a mausoleum beneath certain religious buildings.

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

SECTION 1. Subsection (b), Section 711.008, Health and Safety Code, is amended to read as follows:

(b) Subsection (a) does not apply to:

(1) a cemetery heretofore established and operating;

(2) the establishment and use of a columbarium by an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, as part of or attached to the principal church building owned by the society or sect;

(3) the establishment and use of a columbarium:

(A) in a municipality with a population of at least 1.8 million; and

(B) by an organized religious society or sect, that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, on land that:

(i) is owned by the society or sect; and

(ii) is part of the campus on which an existing principal church building is located;

(4) the establishment and use of a columbarium on the campus of a private or independent institution of higher education, as defined by Section 61.003, Education Code, that is wholly or substantially controlled, managed, owned, or supported by or otherwise affiliated with an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, if a place of worship is located on the campus; or

(5) the establishment and use of a mausoleum that is:

(A) constructed beneath the principal church building owned by an organized religious society or sect that:

(i) is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code; and

(ii) has recognized religious traditions and practices of interring the remains of ordained clergy in or below the principal church building; and

(B) used only for the interment of the remains of ordained clergy of that organized religious society or sect.

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

Passed the Senate on March 19, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 144, Nays 0, one present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 488

S.B. No. 693

AN ACT
relating to proof of identification to purchase an alcoholic beverage.

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

1098
SECTION 1. Subsection (b), Section 106.03, Alcoholic Beverage Code, is amended to read as follows:

(b) A person who sells a minor an alcoholic beverage does not commit an offense if the minor falsely represents himself to be 21 years old or older by displaying an apparently valid proof of identification that contains a physical description and photograph consistent with the minor's appearance, purports to establish that the minor is 21 years of age or older, and was issued by a governmental agency [for the purpose of inducing the person to sell him an alcoholic beverage]. The proof of identification may include a driver's license or identification card issued by the Department of Public Safety, a passport, or a military identification card.

SECTION 2. The defenses added by this Act to Subsection (b), Section 160.03, Alcoholic Beverage Code, are available to a person regardless of when the offense was committed but only for trials commencing on or after the effective date of this Act.

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 the Senate on April 30, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 147, Nays 0, one present not voting.

Approved June 19, 2009.


CHAPTER 489

S.B. No. 707

AN ACT

relating to requiring a sexually oriented business to maintain certain photographic identification records; providing a criminal penalty.

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

SECTION 1. Subchapter B, Chapter 51, Labor Code, is amended by adding Section 51.016 to read as follows:

Sec. 51.016. SEXUALLY ORIENTED BUSINESSES. (a) In this section, "sexually oriented business" has the meaning assigned by Section 243.002, Local Government Code.

(b) A sexually oriented business may not employ an individual younger than 18 years of age.

(c) A sexually oriented business shall maintain at the business a record that contains a copy of a valid proof of identification of each employee or independent contractor working at the premises of the business.

(d) A proof of identification satisfies the requirements of Subsection (c) if the identification:

(1) contains a physical description and photograph consistent with the person's appearance;

(2) contains the date of birth of the person; and

(3) was issued by a government agency.

(e) The form of identification under Subsection (c) may include:

(1) a driver's license issued by this state or another state;

(2) a passport; or

(3) an identification card issued by this or another state or the federal government.