

1-1 By: Flynn, et al. (Senate Sponsor - Taylor) H.B. No. 2763
 1-2 (In the Senate - Received from the House May 2, 2019;
 1-3 May 3, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 15, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 15, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2763 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the police pension fund in certain municipalities.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 1.04, Chapter 325 (H.B. 2259), Acts of
 1-24 the 75th Legislature, Regular Session, 1997 (Article 6243p,
 1-25 Vernon's Texas Civil Statutes), is amended by adding Subdivisions
 1-26 (1-a), (1-b), (6-a), (8), (9), and (10) to read as follows:
 1-27 (1-a) "Actuarial experience study" has the meaning
 1-28 assigned by Section 802.1014, Government Code.
 1-29 (1-b) "Actuarially determined contribution rate"
 1-30 means the contribution rate, expressed as a percentage of payroll
 1-31 or compensation, actuarially determined necessary to:
 1-32 (A) fund the normal cost of the pension fund, the
 1-33 costs of administering the fund, and the unfunded actuarial
 1-34 amortization amount of the fund for the current plan year; and
 1-35 (B) maintain a closed amortization period that
 1-36 does not exceed 30 years.
 1-37 (6-a) "Normal cost" means the actuarially determined
 1-38 amount necessary to fully fund accrued pension benefits under the
 1-39 pension fund allocated to the current plan year.
 1-40 (8) "Plan year" means the 12-month period beginning
 1-41 January 1 and ending on the following December 31.
 1-42 (9) "Trustee" means a member of the board of trustees.
 1-43 (10) "Unfunded actuarial amortization amount" means
 1-44 the actuarially determined amount required to pay off the fund's
 1-45 unfunded actuarial accrued liability layers over a closed 30-year
 1-46 amortization period. The initial layer is equal to the unfunded
 1-47 actuarial accrued liability of the fund in the plan year beginning
 1-48 January 1, 2019. For each subsequent plan year, the unfunded
 1-49 actuarial accrued liability layer is equal to the unanticipated
 1-50 change in the unfunded actuarial accrued liability of the fund in
 1-51 that plan year over the expected unfunded actuarial accrued
 1-52 liability included in the preceding plan year's actuarial
 1-53 valuation.
 1-54 SECTION 2. Sections 2.01 and 2.02, Chapter 325 (H.B. 2259),
 1-55 Acts of the 75th Legislature, Regular Session, 1997 (Article 6243p,
 1-56 Vernon's Texas Civil Statutes), are amended to read as follows:
 1-57 Sec. 2.01. BOARD OF TRUSTEES. A board of trustees of the
 1-58 police pension fund is created, in which is vested the general
 1-59 administration, management, and responsibility for the proper and
 1-60 effective operation of the fund. [~~The board shall be organized~~

2-1 ~~immediately after the members have qualified and taken the oath of~~
2-2 ~~office.]~~ The board has all necessary powers to discharge the
2-3 board's duties, including the authority to adopt necessary rules
2-4 for the administration of the fund and to correct any defect, supply
2-5 any omission, and reconcile any inconsistency that may appear in
2-6 this Act in a manner and to the extent that the board considers
2-7 expedient for the administration of this Act for the greatest
2-8 benefit of all members of the fund.

2-9 Sec. 2.02. COMPOSITION OF BOARD. (a) The board of trustees
2-10 of the fund is composed of eight trustees [~~seven members~~] as
2-11 follows:

2-12 (1) the president of the municipality's police
2-13 association or the president's designee, to serve during the
2-14 president's term of office [~~, except as provided by Subsection (b)~~
2-15 ~~of this section~~];

2-16 (2) two trustees [~~one municipal financial staff~~
2-17 ~~employee~~] designated by the city manager, to serve at the pleasure
2-18 of the city manager;

2-19 (3) two trustees [~~one legally qualified voter~~]
2-20 designated by the mayor, to serve a two-year term;

2-21 [~~(4) one legally qualified voter designated by the~~]
2-22 city council, each to serve a staggered three-year [~~two-year~~] term;
2-23 and

2-24 (4) three trustees [~~(5) three members of the fund~~]
2-25 elected by the members of the fund, each to serve a staggered
2-26 three-year term.

2-27 (b) [~~If the president of the municipality's police~~
2-28 ~~association is prevented by the constitution or bylaws of the~~
2-29 ~~association from serving as a member of the board of trustees or if~~
2-30 ~~the president is not a member of the fund, the member of the fund who~~
2-31 ~~holds the next highest ranking office in the association serves on~~
2-32 ~~the board in place of the president of the association for the term~~
2-33 ~~of the officer's office in the association.~~

2-34 [~~(c)~~] A trustee [~~member of the board of trustees~~] serves
2-35 until a successor is selected and qualified. A vacancy occurring by
2-36 death, resignation, or removal is filled in the same manner used to
2-37 fill the position being vacated. A person appointed or elected to
2-38 fill a position vacated by death, resignation, or removal serves
2-39 the remainder of the term, if any, for the position being vacated,
2-40 at which time the person may be reappointed or stand for election
2-41 for a full term.

2-42 SECTION 3. Article 2, Chapter 325 (H.B. 2259), Acts of the
2-43 75th Legislature, Regular Session, 1997 (Article [6243p](#), Vernon's
2-44 Texas Civil Statutes), is amended by adding Section 2.021 to read as
2-45 follows:

2-46 Sec. 2.021. QUALIFICATIONS OF TRUSTEES. (a) To be
2-47 designated or elected a trustee under Section 2.02 of this Act, a
2-48 person must have:

2-49 (1) demonstrated financial, accounting, business,
2-50 investment, budgeting, or actuarial experience;

2-51 (2) a bachelor's degree from an accredited institution
2-52 of higher education; or

2-53 (3) been vetted to verify that the person is capable of
2-54 performing the duties and responsibilities of a trustee under this
2-55 Act and determined qualified for designation or election, as
2-56 appropriate, to the board by:

2-57 (A) the trustee serving on the board under
2-58 Section 2.02(a)(1) of this Act; and

2-59 (B) a trustee designated by the city manager
2-60 under Section 2.02(a)(2) of this Act.

2-61 (b) A person is presumed to have demonstrated the expertise
2-62 described by Subsection (a)(1) of this section if the person has at
2-63 least five years of full-time employment experience working in a
2-64 field described by that subdivision.

2-65 (c) A person is not required to reside in the municipality
2-66 to be designated or elected a trustee under Section 2.02 of this
2-67 Act.

2-68 SECTION 4. Section 2.03, Chapter 325 (H.B. 2259), Acts of
2-69 the 75th Legislature, Regular Session, 1997 (Article [6243p](#),

3-1 Vernon's Texas Civil Statutes), is amended to read as follows:
 3-2 Sec. 2.03. ELECTED TRUSTEES. The board shall provide by
 3-3 rule for the procedure for electing trustees described by Section
 3-4 2.02(a)(4) [~~2.02(a)(5)~~] of this Act.

3-5 SECTION 5. Article 2, Chapter 325 (H.B. 2259), Acts of the
 3-6 75th Legislature, Regular Session, 1997 (Article 6243p, Vernon's
 3-7 Texas Civil Statutes), is amended by adding Section 2.035 to read as
 3-8 follows:

3-9 Sec. 2.035. TRUSTEE TRAINING. (a) A person who is
 3-10 appointed or elected to the board of trustees and qualifies for
 3-11 office as a trustee shall complete a training program that complies
 3-12 with this section.

3-13 (b) The training program must provide the trustee with
 3-14 information regarding:

3-15 (1) the law governing the pension fund's operations;

3-16 (2) the programs, functions, rules, and budget of the
 3-17 fund;

3-18 (3) the scope of and limitations on the rulemaking
 3-19 authority of the board;

3-20 (4) the results of the most recent actuarial valuation
 3-21 of the fund; and

3-22 (5) the requirements of:

3-23 (A) laws relating to open meetings, public
 3-24 information, administrative procedure, and disclosing conflicts of
 3-25 interest; and

3-26 (B) other laws applicable to a trustee in
 3-27 performing the trustee's duties, including the board's fiduciary
 3-28 duty to hold and administer the assets of the fund for the exclusive
 3-29 benefit of members and their beneficiaries under Section 802.203,
 3-30 Government Code, Section 67(f), Article XVI, Texas Constitution,
 3-31 and any other applicable law.

3-32 SECTION 6. Sections 2.09(a), (b), and (c), Chapter 325
 3-33 (H.B. 2259), Acts of the 75th Legislature, Regular Session, 1997
 3-34 (Article 6243p, Vernon's Texas Civil Statutes), are amended to read
 3-35 as follows:

3-36 (a) The board may purchase from an insurer authorized to do
 3-37 business in this state one or more insurance policies that provide
 3-38 for the reimbursement of a trustee [~~member~~], officer, or employee
 3-39 of the board for liability imposed as damages caused by, and for
 3-40 costs and expenses incurred by the person in defense of, an alleged
 3-41 act, error, or omission committed in the person's capacity as
 3-42 fiduciary of assets of the fund. The board may not purchase an
 3-43 insurance policy that provides for the reimbursement of a trustee
 3-44 [~~member~~], officer, or employee of the board for liability imposed
 3-45 or costs and expenses incurred because of the trustee's [~~member's~~],
 3-46 officer's, or employee's personal dishonesty, fraudulent breach of
 3-47 trust, lack of good faith, intentional fraud or deception, or
 3-48 intentional failure to act prudently. The board of trustees shall
 3-49 use money in the fund to purchase an insurance policy under this
 3-50 subsection.

3-51 (b) If an insurance policy described by Subsection (a) of
 3-52 this section is not available, sufficient, adequate, or otherwise
 3-53 in effect, the board may indemnify a trustee [~~member~~], officer, or
 3-54 employee of the board for liability imposed as damages caused by,
 3-55 and for reasonable costs and expenses incurred by the person in
 3-56 defense of, an alleged act, error, or omission committed in the
 3-57 person's fiduciary capacity. The board may not indemnify a trustee
 3-58 [~~member~~], officer, or employee of the board for liability imposed
 3-59 or costs and expenses incurred because of the trustee's [~~member's~~],
 3-60 officer's, or employee's personal dishonesty, fraudulent breach of
 3-61 trust, lack of good faith, intentional fraud or deception, or
 3-62 intentional failure to act prudently.

3-63 (c) A decision to indemnify under this section must be made
 3-64 by five trustees [~~a majority of the board~~]. If a proposed
 3-65 indemnification is of a trustee [~~board member~~], the trustee
 3-66 [~~member~~] may not vote on the matter.

3-67 SECTION 7. Article 2, Chapter 325 (H.B. 2259), Acts of the
 3-68 75th Legislature, Regular Session, 1997 (Article 6243p, Vernon's
 3-69 Texas Civil Statutes), is amended by adding Sections 2.10, 2.11,

4-1 and 2.12 to read as follows:

4-2 Sec. 2.10. ACTION INCREASING AMORTIZATION PERIOD.
 4-3 Notwithstanding any other provision of this Act, the rate of
 4-4 contributions to the pension fund may not be reduced or eliminated,
 4-5 a new monetary benefit payable by the pension fund may not be
 4-6 established, and the amount of a monetary benefit from the fund may
 4-7 not be increased, if, as a result of the particular action, the
 4-8 time, as determined by an actuarial valuation, required to amortize
 4-9 the unfunded actuarial liabilities of the pension fund would be
 4-10 increased to a period that exceeds 25 years.

4-11 Sec. 2.11. ACTUARIAL VALUATIONS. (a) The assumptions and
 4-12 methods adopted by the board and used to prepare an actuarial
 4-13 valuation of the pension fund's assets and liabilities must be
 4-14 consistent with generally accepted actuarial standards.

4-15 (b) Any assumed rate of return adopted by the board under
 4-16 this Act must be reviewed as part of each actuarial valuation
 4-17 conducted on or after January 1, 2020.

4-18 Sec. 2.12. INVESTMENT RETURN ASSUMPTIONS; ACTUARIAL
 4-19 EXPERIENCE STUDY REQUIRED. (a) Except as provided by Section
 4-20 67(f)(3), Article XVI, Texas Constitution, and notwithstanding
 4-21 Section 11.01 of this Act, the board shall adopt an assumed rate of
 4-22 return of seven percent to be used in the preparation of any
 4-23 actuarial valuation conducted on or after September 1, 2019, and
 4-24 before January 1, 2020.

4-25 (b) This section expires January 2, 2020.

4-26 SECTION 8. Sections 6.01, 6.03, and 6.04, Chapter 325 (H.B.
 4-27 2259), Acts of the 75th Legislature, Regular Session, 1997 (Article
 4-28 6243p, Vernon's Texas Civil Statutes), are amended to read as
 4-29 follows:

4-30 Sec. 6.01. CONTRIBUTION OF MEMBERS AND PARTICIPATION IN
 4-31 FUND; WAGE DEDUCTIONS. Subject to modification under Section 11.01
 4-32 of this Act, each [Each] member shall make contributions to the
 4-33 fund, [except in a time of national emergency,] and the
 4-34 municipality is authorized to deduct 12 [a sum of not less than one
 4-35 percent and not more than 10] percent of the member's monthly wages
 4-36 as contributions to the fund for service rendered after August 31,
 4-37 2019. [The board shall determine the percentage deducted from
 4-38 monthly wages, as provided by Section 2.01 of this Act, within the
 4-39 minimum and maximum deductions provided by this section or as
 4-40 otherwise provided by Section 11.01 of this Act.]

4-41 Sec. 6.03. CONTRIBUTIONS BY MUNICIPALITY. (a) Subject to
 4-42 modification under Section 11.01 of this Act and not later than the
 4-43 15th business day after the first day of the municipality's fiscal
 4-44 year, the [The] municipality[, acting under the advice of the
 4-45 actuary for the fund,] shall contribute to the fund 18 percent
 4-46 [contributions expressed as a percentage] of payroll based on
 4-47 authorized positions, as determined by the municipality [or
 4-48 compensation for each member, in such amounts and at such times as
 4-49 are required to pay the municipality's normal cost and interest on
 4-50 any unfunded actuarial requirement at the rate of interest assumed
 4-51 in the actuarial valuation. The municipality shall also include in
 4-52 the contribution to the fund sufficient money to pay the costs of
 4-53 administration of the fund, including the costs of periodic
 4-54 actuarial evaluations and annual statements to the members of the
 4-55 fund].

4-56 (b) Not later than December 31 of the year following the
 4-57 year in which the municipality makes a contribution under
 4-58 Subsection (a) of this section, the municipality shall:

4-59 (1) calculate the difference, if any, between the
 4-60 amount of the municipality's actual payroll for the applicable
 4-61 fiscal year and the amount of payroll on which its contribution
 4-62 under Subsection (a) of this section was based; and

4-63 (2) contribute to the fund an amount equal to the
 4-64 municipality's applicable contribution rate multiplied by the
 4-65 amount of the difference calculated under Subdivision (1) of this
 4-66 subsection.

4-67 Sec. 6.04. MUNICIPALITY'S LIABILITY. (a) Except as
 4-68 provided by this section [Notwithstanding any other provision of
 4-69 this Act], the municipality may not be held liable or responsible

5-1 for any claim or asserted claim for benefits under the fund, but all
5-2 claims shall be paid from the money for which provisions have been
5-3 made under the terms of the plan and fund.

5-4 (b) The municipality shall pay the pension fund, in the
5-5 manner provided by Subsection (d) of this section, money in an
5-6 amount sufficient to offset any negative financial impact to the
5-7 fund, as determined by the actuary for the fund, caused by a
5-8 unilateral action taken by the municipality, including a reduction
5-9 by the municipality in the number of the municipality's police
5-10 officers.

5-11 (c) The actuary for the fund, as part of the actuary's
5-12 actuarial valuation of the fund, shall annually determine whether a
5-13 reduction in the number of municipal police officers by a
5-14 municipality had a negative financial impact to the fund.

5-15 (d) If the actuary determines a negative financial impact to
5-16 the fund has occurred under this section, the municipality shall:

5-17 (1) provide additional funding to the fund in the time
5-18 frame prescribed for making contribution increases under Section
5-19 11.01(b-1) of this Act; and

5-20 (2) continue to provide the funding described by
5-21 Subdivision (1) of this subsection until the negative impact of the
5-22 action is eliminated as determined by the actuary for the fund.

5-23 SECTION 9. Section 11.01, Chapter 325 (H.B. 2259), Acts of
5-24 the 75th Legislature, Regular Session, 1997 (Article 6243p,
5-25 Vernon's Texas Civil Statutes), is amended to read as follows:

5-26 Sec. 11.01. MODIFICATION OF BENEFITS, MEMBERSHIP
5-27 QUALIFICATIONS, ELIGIBILITY REQUIREMENTS, AND CONTRIBUTIONS. (a)
5-28 Subject to Section 2.10 [Notwithstanding any other provision]
5-29 of this Act and except as otherwise provided by this section, the
5-30 board, with the approval of at least six [~~four~~] board members, may
5-31 modify:

5-32 (1) benefits provided by this Act, including the
5-33 multiplier by which a pension benefit amount provided under Article
5-34 7 of this Act is calculated, except that any increase in benefits is
5-35 subject to Subsection (b) of this section;

5-36 (2) future membership qualifications;

5-37 (3) eligibility requirements for pensions or
5-38 benefits, including the age at which a member is eligible to retire;
5-39 or

5-40 (4) subject to Subsection (b) of this section, the
5-41 contribution rates [~~percentage of wage deductions~~] provided by
5-42 Sections [~~Section~~] 6.01 and 6.03 of this Act[, ~~except that any~~
5-43 ~~increase in wage deductions is subject to Subsection (b)(2) of this~~
5-44 ~~section~~].

5-45 (b) Notwithstanding any other provision of this Act, the
5-46 board of trustees may not modify the contribution rates expressly
5-47 provided by Sections 6.01 and 6.03 of this Act before January 1,
5-48 2025. If, on or after January 1, 2025, the fund's most recent
5-49 actuarial valuation recommends an actuarially determined
5-50 contribution rate that exceeds the aggregate contribution rates
5-51 provided by Sections 6.01 and 6.03 of this Act, as modified under
5-52 this section, if applicable, the board shall:

5-53 (1) calculate the difference between the actuarially
5-54 determined contribution rate and the aggregate contribution rates;
5-55 and

5-56 (2) by rule, increase the contribution rates
5-57 applicable under Sections 6.01 and 6.03 of this Act by 50 percent of
5-58 the difference calculated under Subdivision (1) of this subsection.

5-59 (b-1) An increase in contribution rates under Subsection
5-60 (b) of this section may not take effect before:

5-61 (1) the January 1 following the date on which the board
5-62 of trustees approved the applicable actuarial valuation, if the
5-63 approval occurred at least three months before the first day of the
5-64 municipality's fiscal year; or

5-65 (2) the first day of the municipality's fiscal year
5-66 that begins more than three months after the date the board approved
5-67 the applicable actuarial valuation, if the approval occurred less
5-68 than three months before the first day of the municipality's next
5-69 fiscal year. [Notwithstanding any other provision of this Act, the

6-1 ~~board, with the approval of a majority of the members of the fund,~~
 6-2 ~~may increase either of the following:~~

6-3 ~~[(1) benefits provided by this Act, or~~
 6-4 ~~[(2) the percentage of wage deductions provided by~~
 6-5 ~~Section 6.01 of this Act, except that, if the actuary for the fund~~
 6-6 ~~certifies that an increase is necessary to maintain an actuarially~~
 6-7 ~~sound plan, the board may, with the approval of at least four board~~
 6-8 ~~members, increase the percentage of wage deductions.]~~

6-9 (c) Notwithstanding any other provision of this Act, the
 6-10 board, with the approval of at least five [~~four~~] board members, may
 6-11 provide for refunds, in whole or in part, with or without interest,
 6-12 of accumulated contributions made to the fund by members who leave
 6-13 the municipality's service before qualifying for a pension.

6-14 (d) Actions authorized under [~~Subsection (a) or (b) of~~] this
 6-15 section may not be made unless first reviewed by a qualified actuary
 6-16 selected by the [~~at least four~~] board [~~members~~]. To qualify, an
 6-17 actuary who is an individual must be a Fellow of the Society of
 6-18 Actuaries[, ~~a Fellow of the Conference of Actuaries in Public~~
 6-19 ~~Practice,~~] or a member of the American Academy of Actuaries. The
 6-20 basis for the actuary's approval or disapproval of a board action is
 6-21 not subject to judicial review.

6-22 SECTION 10. (a) In this section, "board of trustees" and
 6-23 "pension fund" have the meanings assigned by Section 1.04, Chapter
 6-24 325 (H.B. 2259), Acts of the 75th Legislature, Regular Session,
 6-25 1997 (Article [6243p](#), Vernon's Texas Civil Statutes).

6-26 (b) As soon as practicable after the effective date of this
 6-27 Act:

6-28 (1) the city manager and city council shall designate
 6-29 trustees for the board of trustees in accordance with Sections
 6-30 2.02(a)(2) and (3), Chapter 325 (H.B. 2259), Acts of the 75th
 6-31 Legislature, Regular Session, 1997 (Article [6243p](#), Vernon's Texas
 6-32 Civil Statutes), as amended by this Act, whose terms are to begin
 6-33 November 1, 2019; and

6-34 (2) the members of the pension fund shall elect, in
 6-35 accordance with a procedure adopted by the existing board of
 6-36 trustees for that purpose, three trustees to the board of trustees
 6-37 in accordance with Section 2.02(a)(4), Chapter 325 (H.B. 2259),
 6-38 Acts of the 75th Legislature, Regular Session, 1997 (Article [6243p](#),
 6-39 Vernon's Texas Civil Statutes), as amended by this Act, whose terms
 6-40 are to begin November 1, 2019.

6-41 (c) Notwithstanding the terms stipulated by Sections
 6-42 2.02(a)(2), (3), and (4), Chapter 325 (H.B. 2259), Acts of the 75th
 6-43 Legislature, Regular Session, 1997 (Article [6243p](#), Vernon's Texas
 6-44 Civil Statutes), as amended by this Act, as applicable:

6-45 (1) the city manager and the city council shall
 6-46 designate one of the initial trustees appointed under Section
 6-47 2.02(a)(2) or (3), Chapter 325 (H.B. 2259), Acts of the 75th
 6-48 Legislature, Regular Session, 1997 (Article [6243p](#), Vernon's Texas
 6-49 Civil Statutes), as amended by this Act, as applicable, to serve a
 6-50 term of two years; and

6-51 (2) the existing board of trustees shall designate one
 6-52 of the initial trustee positions elected under Section 2.02(a)(4),
 6-53 Chapter 325 (H.B. 2259), Acts of the 75th Legislature, Regular
 6-54 Session, 1997 (Article [6243p](#), Vernon's Texas Civil Statutes), as
 6-55 amended by this Act, to serve a one-year term and another of the
 6-56 initial trustee positions to serve a two-year term.

6-57 (d) Notwithstanding the term of a trustee serving on the
 6-58 board of trustees immediately before the effective date of this
 6-59 Act, effective October 31, 2019, the term of a trustee serving on
 6-60 the board under Sections 2.02(a)(2), (3), (4), and (5), Chapter 325
 6-61 (H.B. 2259), Acts of the 75th Legislature, Regular Session, 1997
 6-62 (Article [6243p](#), Vernon's Texas Civil Statutes), as those
 6-63 subdivisions existed immediately before the effective date of this
 6-64 Act, expires.

6-65 SECTION 11. Sections 6.01 and 6.03, Chapter 325 (H.B.
 6-66 2259), Acts of the 75th Legislature, Regular Session, 1997 (Article
 6-67 [6243p](#), Vernon's Texas Civil Statutes), as amended by this Act,
 6-68 apply only to a contribution made on or after the effective date of
 6-69 this Act.

7-1 SECTION 12. Notwithstanding Section 6.03, Chapter 325 (H.B.
7-2 2259), Acts of the 75th Legislature, Regular Session, 1997 (Article
7-3 [6243p](#), Vernon's Texas Civil Statutes), as it existed immediately
7-4 before the effective date of this Act, a municipality subject to
7-5 that section is not required to pay interest on any unfunded
7-6 actuarial requirement that is outstanding under that section on the
7-7 effective date of this Act.
7-8 SECTION 13. This Act takes effect immediately if it
7-9 receives a vote of two-thirds of all the members elected to each
7-10 house, as provided by Section [39](#), Article III, Texas Constitution.
7-11 If this Act does not receive the vote necessary for immediate
7-12 effect, this Act takes effect September 1, 2019.

7-13

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