

By: Button

H.B. No. 3521

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the recovery of certain direct administrative costs
3 incurred by the Texas State Board of Public Accountancy in imposing
4 disciplinary action against a license holder.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 901.501(a), Occupations Code, is amended
7 to read as follows:

8 (a) On a determination that a ground for discipline exists
9 under Section 901.502, after notice and hearing as provided by
10 Section 901.509, the board may:

11 (1) revoke a certificate, firm license, or practice
12 privilege issued under this chapter;

13 (2) suspend under any terms a certificate, firm
14 license, practice privilege, or license issued under this chapter
15 for a period not to exceed five years;

16 (3) refuse to renew a license;

17 (4) place a license holder on probation;

18 (5) reprimand a license holder;

19 (6) limit the scope of a license holder's practice;

20 (7) require a license holder to complete a peer review
21 program conducted in the manner prescribed by the board;

22 (8) require a license holder to complete a continuing
23 education program specified by the board;

24 (9) impose on a license holder the direct

1 administrative costs incurred by the board in taking action under
2 this subsection, including fees or costs related to:

3 (A) attorneys, consultants, and witnesses;

4 (B) time spent by board employees to investigate
5 or prosecute the disciplinary ground;

6 (C) copying and filing documents;

7 (D) court reporters;

8 (E) hearings conducted by the State Office of
9 Administrative Hearings;

10 (F) case management;

11 (G) preparing for a hearing, trial, or appeal,
12 including preparing any exhibits;

13 (H) travel and per diem expenses for enforcement
14 committee members; and

15 (I) any other costs or fees reasonably
16 attributable to the investigation or prosecution of the
17 disciplinary ground [~~Subdivisions (1) through (8)~~];

18 (10) require a license holder to pay restitution as
19 provided by Section 901.6015;

20 (11) impose an administrative penalty under
21 Subchapter L; or

22 (12) impose any combination of the sanctions provided
23 by this subsection.

24 SECTION 2. Section 901.501(a), Occupations Code, as amended
25 by this Act, applies only to disciplinary action regarding conduct
26 that occurs on or after the effective date of this Act. Conduct
27 that occurs before the effective date of this Act is governed by the

1 law in effect on the date the conduct occurred, and the former law
2 is continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2023.