

By: Goldman

H.B. No. 3743

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Department of Licensing and Regulation;
expanding authority to adopt fees.

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

SECTION 1. Section 51.002, Occupations Code, as amended by Chapters 663 (H.B. 1560) and 850 (S.B. 713), Acts of the 87th Legislature, Regular Session, 2021, is reenacted to read as follows:

Sec. 51.002. APPLICATION OF SUNSET ACT. The Texas Commission of Licensing and Regulation and the Texas Department of Licensing and Regulation are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission and the department are abolished September 1, 2033.

SECTION 2. Section 51.202(a), Occupations Code, is amended to read as follows:

(a) The commission shall set fees, in amounts reasonable and necessary to cover the costs of administering the programs or activities, for:

- (1) licenses issued by the department;
- (2) license renewals and late renewals;
- (3) examinations; and
- (4) any other program or activity administered by the department [~~for which a fee is authorized~~].

1 SECTION 3. Section 51.207(c), Occupations Code, is amended
2 to read as follows:

3 (c) The commission by rule may require an applicant, license
4 holder, or other person who regularly receives correspondence from
5 the department to provide an [may satisfy any requirement under
6 this chapter or another law governing a program subject to
7 regulation by the department to provide notice by delivering the
8 notice by] e-mail address to the department for purposes of
9 receiving correspondence [to the recipient's last known e-mail
10 address if the recipient has previously authorized the department
11 to deliver the notice by e-mail]. An e-mail address used under this
12 subsection is confidential and is not subject to disclosure under
13 Chapter 552, Government Code.

14 SECTION 4. Section 51.209, Occupations Code, is amended by
15 adding Subsection (d) to read as follows:

16 (d) Notwithstanding any other law, Chapter 2110, Government
17 Code, does not apply to an advisory board established to advise the
18 commission or department.

19 SECTION 5. Subchapter H, Chapter 51, Occupations Code, is
20 amended by adding Section 51.4014 to read as follows:

21 Sec. 51.4014. LICENSE APPLICATION FROM INMATE. (a)
22 Notwithstanding any other law, the department may accept an
23 application from an applicant who is an inmate imprisoned in the
24 Texas Department of Criminal Justice except that the department may
25 not issue the license until the applicant has been released.

26 (b) This section does not limit the ability of the
27 department to determine or verify the applicant's eligibility for

1 the license or to issue a provisional or restricted license in
2 accordance with other law.

3 SECTION 6. This Act takes effect September 1, 2023.