

By: Zaffirini

S.B. No. 1213

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of the Mold Assessment and
3 Remediation Advisory Board under the Texas Department of Licensing
4 and Regulation.

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

6 SECTION 1. Section 1958.001, Occupations Code, is amended
7 by amending Subdivision (1) and adding Subdivision (1-a) to read as
8 follows:

9 (1) "Advisory board" means the Mold Assessment and
10 Remediation Advisory Board.

11 (1-a) "Commission" means the Texas Commission of
12 Licensing and Regulation.

13 SECTION 2. Chapter 1958, Occupations Code, is amended by
14 adding Subchapter A-1 to read as follows:

15 SUBCHAPTER A-1. ADVISORY BOARD

16 Sec. 1958.031. ADVISORY BOARD MEMBERSHIP. (a) The Mold
17 Assessment and Remediation Advisory Board consists of 11 members
18 appointed by the presiding officer of the commission, with the
19 approval of the commission, as follows:

20 (1) three members who are licensed and engage in mold
21 assessment as consultants;

22 (2) three members who are licensed and engage in mold
23 remediation as contractors;

24 (3) two members who are building contractors

1 principally engaged in home construction and who are members of a
2 statewide building trade association;

3 (4) one member who is a representative of the
4 insurance industry;

5 (5) one member who is a representative of an
6 accredited mold training provider; and

7 (6) one member who represents the public.

8 (b) Appointments to the advisory board shall be made without
9 regard to the race, color, disability, sex, religion, age, or
10 national origin of the appointee.

11 (c) Chapter 2110, Government Code, does not apply to the
12 composition or duration of the advisory board or to the appointment
13 of the advisory board's presiding officer.

14 Sec. 1958.032. TERMS; VACANCY. (a) Members of the
15 advisory board serve staggered six-year terms, with the terms of
16 three or four members expiring on February 1 of each odd-numbered
17 year.

18 (b) If a vacancy occurs during a member's term, the
19 presiding officer of the commission, with the approval of the
20 commission, shall appoint a replacement who meets the
21 qualifications for the vacant position to serve for the remainder
22 of the term.

23 Sec. 1958.033. PRESIDING OFFICER. The presiding officer of
24 the commission, with the approval of the commission, shall appoint
25 one of the advisory board members to serve as presiding officer of
26 the advisory board for a term of one year.

27 Sec. 1958.034. DUTIES. The advisory board may advise the

1 commission and department on:

2 (1) technical matters relevant to the administration
3 of this chapter;

4 (2) standards or performance and work practices for
5 mold assessment or remediation;

6 (3) qualifications for the issuance or renewal of a
7 license, including any training or continuing education; and

8 (4) other issues affecting mold assessment and
9 remediation.

10 SECTION 3. Not later than December 1, 2023, the presiding
11 officer of the Texas Commission of Licensing and Regulation shall
12 appoint members to the Mold Assessment and Remediation Advisory
13 Board in accordance with Section 1958.031, Occupations Code, as
14 added by this Act.

15 SECTION 4. Notwithstanding Section 1958.032, Occupations
16 Code, as added by this Act, in making the initial appointments to
17 the Mold Assessment and Remediation Advisory Board, the presiding
18 officer of the Texas Commission of Licensing and Regulation shall
19 designate three members of the advisory board to serve terms
20 expiring February 1, 2025, four members to serve terms expiring
21 February 1, 2027, and four members to serve terms expiring February
22 1, 2029.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2023.