

1 AN ACT

2 relating to the temporary regulation of the practice of veterinary  
3 medicine by the Texas Department of Licensing and Regulation.

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

5 SECTION 1. Section 801.003, Occupations Code, is amended to  
6 read as follows:

7 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of  
8 Veterinary Medical Examiners is subject to Chapter 325, Government  
9 Code (Texas Sunset Act). Unless continued in existence as provided  
10 by that chapter, the board is abolished September 1, 2027 [~~2029~~].

11 SECTION 2. Chapter 801, Occupations Code, is amended by  
12 adding Subchapter A-1 to read as follows:

13 SUBCHAPTER A-1. TEMPORARY REGULATION BY TEXAS DEPARTMENT OF  
14 LICENSING AND REGULATION

15 Sec. 801.021. DEFINITIONS. In this subchapter:

16 (1) "Commission" means the Texas Commission of  
17 Licensing and Regulation.

18 (2) "Department" means the Texas Department of  
19 Licensing and Regulation.

20 Sec. 801.022. TEMPORARY ADMINISTRATION OF CHAPTER BY  
21 DEPARTMENT; RULES. (a) Notwithstanding any other law, the  
22 department shall assume all policy-making powers of the board and  
23 administer this chapter. The department may contract as necessary  
24 to administer this chapter.

1       (b) A power or duty granted to the board under this chapter  
2 is a power or duty of the executive director of the department, the  
3 department, or the commission, as applicable.

4       (c) The commission or executive director of the department  
5 may delegate, or withdraw any delegation of, any power or duty under  
6 this chapter to the board or the executive director of the board.  
7 The delegation or withdrawal of delegation must be in writing.

8       (d) Except as provided by Section 801.024(c), the  
9 commission shall adopt all rules necessary to implement this  
10 chapter.

11       (e) Not later than December 31, 2026, the department shall  
12 conduct a review under Section 2001.039, Government Code, of each  
13 rule under 22 T.A.C. Part 24. In conducting the review under this  
14 subsection, the department shall ensure that license holders and  
15 the public have a meaningful opportunity to provide input and  
16 recommend changes to the rules.

17       (f) The department shall propose necessary amendments to a  
18 rule, or the repeal of a rule, for which the department determines  
19 the board lacks a sufficient reason or authority to adopt or  
20 enforce.

21       (g) For any rulemaking or contested case for which an expert  
22 witness is necessary, the commission or department, as applicable,  
23 may have a member of the board who is a veterinarian licensed in  
24 good standing in this state serve as the expert witness.

25       Sec. 801.023. SEPARATION OF ADMINISTRATIVE FUNCTIONS OF  
26 BOARD. (a) The executive director of the department shall direct  
27 and may dismiss the executive director of the board. The presiding

1 officer of the commission shall appoint a replacement executive  
2 director of the board if necessary.

3 (b) Subject to Subsection (a), the executive director of the  
4 board is responsible for the administration of financial services,  
5 human resources, and workforce development duties of the board,  
6 including:

7 (1) accounts payable and accounts receivable;

8 (2) budgeting, inventory, and asset management;

9 (3) payroll;

10 (4) personnel and labor issues;

11 (5) purchasing;

12 (6) recruitment, evaluation, selection, training, and  
13 promotion of personnel;

14 (7) submitting required reports regarding finances,  
15 performance measures, strategic planning, legislative  
16 appropriations requests, operating budgets, and similar  
17 information as required by law;

18 (8) legal support services, including responding to  
19 requests for public information; and

20 (9) information technology and support.

21 (c) If the department provides any of the functions listed  
22 in Subsection (b), the board shall reimburse the department for  
23 administrative costs incurred in providing those services.

24 Sec. 801.024. ADVISORY BOARD. (a) Notwithstanding  
25 Subchapter D, the board is an advisory board to the department.

26 (b) The board, the equine dental provider advisory  
27 committee, and any advisory committee appointed under Section

1 801.163 shall provide advice and recommendations to the department  
2 on technical matters relevant to the administration of this  
3 chapter.

4 (c) The board shall adopt rules relating to the scope of  
5 practice of or a health-related standard of care for the practice of  
6 the profession of veterinary medicine.

7 (d) The commission shall review each rule adopted under  
8 Subsection (c) and, if the commission determines that the rule is  
9 not authorized by this chapter or other law or is an unauthorized  
10 anticompetitive rule, issue an order stating that determination. A  
11 rule for which an order is issued under this subsection may not take  
12 effect or be enforced.

13 Sec. 801.025. CONFLICT WITH OTHER LAW. (a)  
14 Notwithstanding Section 51.003, to the extent of any conflict  
15 between this chapter and Chapter 51, this chapter controls.

16 (b) To the extent of any conflict between this subchapter  
17 and another provision of this chapter, this subchapter controls.

18 Sec. 801.026. EXPIRATION. This subchapter expires  
19 September 1, 2027.

20 SECTION 3. (a) In this section:

21 (1) "Board" means the State Board of Veterinary  
22 Medical Examiners.

23 (2) "Department" means the Texas Department of  
24 Licensing and Regulation.

25 (b) Not later than October 1, 2023, the Department of  
26 Information Resources shall consult with the department and the  
27 board to assess the database needs of the board and establish a plan

1 for the procurement and acquisition of a database suitable to  
2 address those needs.

3 (c) Notwithstanding any other law, the board shall provide  
4 the Department of Information Resources and the department with  
5 access to any system, hardware, software, documents, or information  
6 necessary to achieve the purposes of Subsection (b) of this  
7 section.

8 (d) The provision of information under this section to the  
9 Department of Information Resources or the department does not  
10 waive confidentiality or privilege.

11 SECTION 4. Not later than December 1, 2024, the Texas  
12 Department of Licensing and Regulation shall submit to the Sunset  
13 Advisory Commission and each standing committee of the legislature  
14 with primary jurisdiction over the State Board of Veterinary  
15 Medical Examiners any legislative recommendations necessary to  
16 improve the board's operations.

17 SECTION 5. This Act takes effect September 1, 2023.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1414 passed the Senate on April 3, 2023, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 27, 2023, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1414 passed the House, with amendment, on May 17, 2023, by the following vote: Yeas 140, Nays 2, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor