

By: Eissler

H.B. No. 61

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain disciplinary powers of the Texas State Board of
3 Public Accountancy.

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

5 SECTION 1. Section 901.501, Occupations Code, as amended by
6 Chapter 525, Acts of the 78th Legislature, Regular Session, 2003,
7 is amended by amending Subsection (a) and adding Subsection (c) to
8 read as follows:

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

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

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

17 (3) refuse to renew a license;

18 (4) place a license holder on probation;

19 (5) reprimand a license holder;

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

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

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

1 (9) impose on a license holder the direct
2 administrative costs incurred by the board in taking action under
3 Subdivisions (1) through (8);

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

6 (11) impose an administrative penalty under
7 Subchapter L; or

8 (12) impose any combination of the sanctions provided
9 by this subsection.

10 (c) On a determination, after notice and hearing as required
11 by this subchapter, that a license holder whose license suspension
12 has been probated has violated the terms of the probation order, the
13 board may rescind the probation and enforce the board's original
14 action suspending the person's license.

15 SECTION 2. The change in law made by Section 901.501(c),
16 Occupations Code, as added by this Act, applies only to an action by
17 the Texas State Board of Public Accountancy to rescind the
18 probation of a license suspension that is initiated on or after the
19 effective date of this Act. An action by the board to rescind the
20 probation of a license suspension that was initiated before the
21 effective date of this Act is governed by the law in effect on the
22 date the action was initiated, and the former law is continued in
23 effect for that purpose.

24 SECTION 3. This Act takes effect on the 91st day after the
25 last day of the legislative session.