

Amend CSSB 104 as follows:

(1) In the SECTION of the bill amending Section 164.001, Occupations Code, in the recital for that section, strike "Subsection (f)" and substitute "Subsections (f)-(i)".

(2) In the SECTION of the bill amending Section 164.001, Occupations Code, after proposed Subsection (f) of that section, insert the following:

(g) In determining the appropriate disciplinary action, including the amount of any administrative penalty to assess, the board shall consider whether the person:

(1) is being disciplined for multiple violations of this subtitle or a rule or order adopted under this subtitle; or

(2) has previously been the subject of disciplinary action by the board.

(h) In the case of a person described by:

(1) Subsection (g)(1), the board shall consider taking a more severe disciplinary action, including revocation of the person's license, than the disciplinary action that would be taken for a single violation; and

(2) Subsection (g)(2), the board shall consider revoking the person's license if the person has repeatedly been the subject of disciplinary action by the board.

(i) If the board chooses not to revoke the license of a person described by Subsection (g)(2), the board shall consider taking a more severe disciplinary action than the disciplinary action previously taken.