

BILL ANALYSIS

H.B. 74
By: Naishtat
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

House Bill 329, 78(R) Session, created the Mold Assessors and Remediators program at the Texas Department of State Health Services. The bill directed the agency to develop and implement a program to train and license mold assessors and remediators.

A conflict of interested provision was included in the bill to prevent assessors from identifying what they say is dangerous mold, convincing home or building owners that expensive renovations are necessary, and then performing the remediation work. A blatant conflict of interest.

During the rule making process, it came to light that the conflict of interest section of the bill would prevent school districts from allowing a licensed assessor and a licensed remediator, who both work for the school district, to work on the same project.

H. B. 74 will exempt school districts from the conflict of interest provision in the law.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 1958.155, Occupations Code, by adding Subsection (d), providing that this section does not apply to a license holder employed by a school district and working on a project for that school district.

SECTION 2. Effective date: Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

EFFECTIVE DATE

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