

BILL ANALYSIS

C.S.H.B. 468
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Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the Texas Education Agency (TEA) must print and issue certificates of completion for driver training courses. This is logistically inefficient for both TEA and course providers. Instead, C.S.H.B. 468 requires that TEA supply the course provider series of course completion certificate numbers that the course provider will use to print agency-approved certificates of course completion.

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

C.S.H.B. 468 amends §1001.056 of the Education Code, to require TEA to supply a driver training course provider with course completion certificate numbers to enable course providers to print and issue agency-approved certificates.

The bill further amends §1001.056 by adding language that requires the numbering of certificates to be serial and that the agency design and distribute the certificates in a manner that would prevent unauthorized production or misuse of the certificate numbers to the greatest extent possible. Additionally, the bill authorizes the agency to charge a fee of no more than \$4 for each certificate number and provides that course providers may collect from the person approved to conduct an approved course a fee equal to the amount of the fee paid to the agency for the certificate number.

The bill also amends §1001.056 by stating that a course provider's license enables that provider to purchase certificate numbers for one course only. The bill requires a course provider that provides an original certificate to provide any duplicate certificates. The bill requires the commissioner to determine the cost charged by the provider for issuing a duplicate certificate. If a duplicate certificate issued by a course provider contains information that is different from the original certificate, the bill requires a course provider to include on the duplicate certificate the new information, along with a notation "changed to," indicating how the original information was changed. C.S.H.B. 468 requires the course provider to issue duplicate certificates by United States mail service or commercial delivery.

The bill amends §1001.209, Education Code, to allow the costs incurred by TEA in supplying course completion certificate numbers, including the cancellation of certificates, to be recovered from the bond that is required of a course provider by §1001.209.

The bill amends §1001.555 of the Education Code to provide that a person commits an offense if he or she knowingly sells, trades, issues, transfers, or possesses a duplicate course completion certificate or certificate number with the intent to sell, trade, issue, or otherwise transfer a course completion certificate number without proper authorization.

The bill also makes conforming and non-substantive changes.

EFFECTIVE DATE

September 1, 2005.

C.S.H.B. 468 79(R)

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill included language that changed the renewal period for a license from one to two years. The substitute removes all provisions that changed license renewal from one year to two years.

The original bill included language that gave TEA the option of printing and supplying to each course provider uniform certificates of course completion or providing a course provider with course completion certificate numbers to enable the provider to print and issue agency-approved certificates of course completion. The substitute removes language that allowed TEA to issue certificates.

Additionally, the committee substitute requires the course provider to print and distribute both original certificates and duplicate certificates in a manner that prevents unauthorized production or misuse of the certificates. The committee substitute requires that course providers issue and send certificates of course completion through United States Mail or through a commercial delivery service.