

By: Van Arsdale

H.B. No. 3259

A BILL TO BE ENTITLED

AN ACT

relating to the denial of a license to an applicant who is delinquent in the payment of ad valorem taxes.

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

SECTION 1. Chapter 403, Government Code is amended by adding Subchapter P to read as follows:

SUBCHAPTER O. DENIAL OF LICENSURE

Sec. 403.351. Definitions. In this subchapter:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority;

(B) is subject before expiration to suspension, revocation, forfeiture, or termination by the issuing licensing authority; and

(C) a person must obtain to:

(i) practice or engage in a particular business, occupation, or profession;

(ii) operate a motor vehicle; or

(iii) engage in any other regulated activity, including hunting, fishing, or other recreational activity for which a license or permit is required.

(2) "Licensing authority" means a department, commission, board, office, or other agency of this state that issues a license.

1 Sec. 403.352. LICENSING AUTHORITIES SUBJECT TO CHAPTER.

2 The following entities or their successors are licensing
3 authorities subject to this chapter:

4 (1) Department of Agriculture;

5 (2) Texas Commission on Alcohol and Drug Abuse;

6 (3) Texas Alcoholic Beverage Commission;

7 (4) Texas Appraiser Licensing and Certification
8 Board;

9 (5) Texas Board of Architectural Examiners;

10 (6) State Board of Barber Examiners;

11 (7) Texas Board of Chiropractic Examiners;

12 (8) Comptroller of Public Accounts;

13 (9) Texas Cosmetology Commission;

14 (10) Court Reporters Certification Board;

15 (11) State Board of Dental Examiners;

16 (12) Texas State Board of Examiners of Dietitians;

17 (13) Texas Funeral Service Commission;

18 (14) Texas Department of Health;

19 (15) Texas Department of Human Services;

20 (16) Texas Board of Professional Land Surveying;

21 (17) Texas Department of Licensing and Regulation;

22 (18) Texas State Board of Examiners of Marriage and
23 Family Therapists;

24 (19) Texas State Board of Medical Examiners;

25 (20) Midwifery Board;

26 (21) Texas Commission on Environmental Quality;

27 (22) Board of Nurse Examiners;

- 1 (23) Texas Board of Occupational Therapy Examiners;
2 (24) Texas Optometry Board;
3 (25) Parks and Wildlife Department;
4 (26) Texas State Board of Examiners of Perfusionists;
5 (27) Texas State Board of Pharmacy;
6 (28) Texas Board of Physical Therapy Examiners;
7 (29) Texas State Board of Plumbing Examiners;
8 (30) Texas State Board of Podiatric Medical Examiners;
9 (31) Polygraph Examiners Board;
10 (32) Texas Commission on Private Security;
11 (33) Texas State Board of Examiners of Professional
12 Counselors;
13 (34) Texas Board of Professional Engineers;
14 (35) Department of Protective and Regulatory
15 Services;
16 (36) Texas State Board of Examiners of Psychologists;
17 (37) Texas State Board of Public Accountancy;
18 (38) Department of Public Safety of the State of
19 Texas;
20 (39) Public Utility Commission of Texas;
21 (40) Railroad Commission of Texas;
22 (41) Texas Real Estate Commission;
23 (42) State Bar of Texas;
24 (43) Texas State Board of Social Worker Examiners;
25 (44) State Board of Examiners for Speech-Language
26 Pathology and Audiology;
27 (45) Texas Structural Pest Control Board;

- 1 (46) Board of Tax Professional Examiners;
2 (47) Secretary of State;
3 (48) Supreme Court of Texas;
4 (49) Texas Transportation Commission;
5 (50) State Board of Veterinary Medical Examiners;
6 (51) Texas Ethics Commission;
7 (52) Advisory Board of Athletic Trainers;
8 (53) State Committee of Examiners in the Fitting and
9 Dispensing of Hearing Instruments;
10 (54) Texas Board of Licensure for Professional Medical
11 Physicists;
12 (55) Texas Department of Insurance;
13 (56) Texas Board of Orthotics and Prosthetics;
14 (57) savings and loan commissioner;
15 (58) Texas Juvenile Probation Commission; and
16 (59) Texas Lottery Commission under Chapter 466,
17 Government Code.

18 Sec. 403.353. DENIAL OF LICENSE. (a) A licensing agency
19 may not issue a license to an applicant for an original or renewal
20 license if the individual owes delinquent ad valorem taxes to a
21 taxing unit in this state as shown on a current or cumulative
22 delinquent tax roll.

23 Sec. 403.354. DELINQUENT TAX ROLLS. (a) The tax collector
24 for a taxing unit shall deliver to the comptroller a copy of each
25 delinquent tax roll prepared under Section 33.03, Tax Code.

26 (b) The comptroller shall prescribe the form and manner in
27 which the delinquent tax rolls must be submitted.

1 Sec. 403.355. COMPUTER DATABASE. (a) From the delinquent
2 tax roll information provided by tax collectors, the comptroller
3 shall develop and maintain a computer database to be used in the
4 administration and enforcement of this subchapter.

5 (b) The comptroller shall develop procedures to enable
6 licensing agencies to have access to the information in the
7 computer database.

8 Sec. 403.355. APPEAL OF DENIAL. The denial of a license
9 under this subchapter is a final agency decision and is subject to
10 review as provided by Chapter 2001.

11 Sec. 403.356. EXEMPTION FROM LIABILITY. The comptroller,
12 the tax collector for a taxing unit, or a licensing authority is
13 exempt from liability to an applicant for an original or renewal
14 license for any act authorized under this chapter that is performed
15 by the comptroller, the tax collector, or the licensing authority.

16 Sec. 403.357. RULES AND FORMS. The comptroller shall adopt
17 rules and forms to implement and administer this subchapter.

18 SECTION 2. This Act takes effect September 1, 2005.