

By: Shapleigh

S.B. No. 96

A BILL TO BE ENTITLED

AN ACT

relating to the provision of online services to assist a person starting a business in this state.

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

SECTION 1. Section 481.123, Government Code, is amended to read as follows:

Sec. 481.123. DUTIES. The permit office shall:

(1) provide comprehensive information on permits required for business enterprises in the state and make that information available to applicants and other persons;

(2) assist applicants in obtaining timely and efficient permit review and in resolving issues arising from the review;

(3) facilitate contacts between applicants and state agencies responsible for processing and reviewing permit applications;

(4) assist applicants in the resolution of outstanding issues identified by state agencies, including delays experienced in permit review;

(5) develop comprehensive application procedures to expedite the permit process;

(6) compile a comprehensive list of all permits required of a person desiring to establish, operate, or expand a business enterprise in the state;

1 (7) encourage and facilitate the participation of
2 federal and local government agencies in permit coordination;

3 (8) make recommendations for eliminating,
4 consolidating, simplifying, expediting, or otherwise improving
5 permit procedures affecting business enterprises by requesting
6 that the state auditor, with the advice and support of the permit
7 office, initiate a business permit reengineering review process
8 involving all state agencies;

9 (9) develop and implement an outreach program to
10 publicize and make small business entrepreneurs and others aware of
11 services provided by the permit office;

12 (10) adopt rules, procedures, instructions, and forms
13 required to carry out the functions, powers, and duties of the
14 permit office under this subchapter; ~~and~~

15 (11) except as provided in Section 481.129, complete
16 the implementation of the business permit review process on or
17 before September 1, 1994, and provide all recommended statutory
18 changes as needed to the legislature on or before January 1, 1995;
19 and

20 (12) establish and maintain a website accessible on
21 TexasOnline that:

22 (A) enables a person to obtain and electronically
23 submit a permit application as provided by Sections 481.124 and
24 481.1241;

25 (B) provides information regarding the status of
26 a person's permit application that is updated regularly by the
27 permit office;

1 (C) provides a link to information made
2 accessible on the Internet by the Texas Business and Community
3 Economic Development Clearinghouse under Section 481.167(c); and

4 (D) provides links to any information provided by
5 the comptroller on the Internet relating to a permit or license
6 issued under Title 2, Tax Code.

7 SECTION 2. Section 481.124, Government Code, is amended by
8 amending Subsections (a), (b), (f), and (h) and adding Subsection
9 (h-1) to read as follows:

10 (a) The permit office shall develop and by rule implement a
11 comprehensive application procedure to expedite the identification
12 and processing of required permits. The permit office shall
13 specify the permits to which the comprehensive application
14 procedure applies. A comprehensive application must be made on a
15 form prescribed by the permit office and may be submitted online
16 through the website maintained by the permit office. The permit
17 office shall consult with affected agencies in designing the form
18 to ensure that the form provides the necessary information to allow
19 agencies to identify which permits may be needed by the applicant.
20 The form must be designed primarily for the convenience of an
21 applicant who is required to obtain multiple permits and must
22 provide for concise and specific information necessary to determine
23 which permits are or may be required of the particular applicant.

24 (b) Use of the comprehensive application procedure by the
25 applicant is optional. On request the permit office shall assist an
26 applicant in preparing a comprehensive application, describe the
27 procedures involved, and provide other appropriate information

1 from the comprehensive permit information file. An applicant may
2 request assistance through the website maintained by the permit
3 office.

4 (f) The permit office shall promptly provide the applicant
5 with application forms and related information for all permits
6 specified by the interested state agencies and shall advise the
7 applicant that the forms are to be completed and submitted to the
8 appropriate state agencies. At the applicant's request, the permit
9 office shall provide application forms to the applicant in an
10 electronic format that enables the applicant to submit the
11 application forms to each state agency through the website
12 maintained by the permit office. A state agency shall accept a
13 permit application submitted electronically through the website
14 maintained by the permit office.

15 (h) Each state agency having jurisdiction over a permit to
16 which the comprehensive application procedure applies shall
17 designate an officer or employee to act as permit liaison officer to
18 cooperate with the permit office in carrying out this subchapter.
19 The permit liaison officer designated under this subsection shall
20 inform the permit office if the application status of an applicant
21 using the comprehensive application procedure changes.

22 (h-1) The permit office shall provide information relating
23 to the status of a permit applicant's applications and take
24 reasonable steps to ensure that the information is accessible only
25 to the applicant. The permit office shall regularly update the
26 information.

27 SECTION 3. Subchapter H, Chapter 481, Government Code, is

1 amended by adding Section 481.1241 to read as follows:

2 Sec. 481.1241. COMMON PERMIT APPLICATION. (a) The permit
3 office shall:

4 (1) determine what information a state agency
5 generally requires a permit applicant to submit; and

6 (2) adopt and revise a common permit application form
7 on which an applicant may provide the information that the permit
8 office determines is generally required on permit applications.

9 (b) The permit office shall compile in a database the
10 information submitted on the common permit application form adopted
11 under Subsection (a). Information contained in the database
12 regarding an applicant must be accessible by each state agency that
13 requires the applicant to obtain a permit from the agency for the
14 applicant's business undertaking, project, or activity.

15 (c) An applicant may submit, electronically or by other
16 means, the common permit application form to an agency instead of
17 including on the agency's permit application information provided
18 on the common permit application form. An applicant must provide
19 each agency with information required by the agency's permit
20 application that is not contained in the common permit application
21 form.

22 SECTION 4. The business permit office of the Texas Economic
23 Development and Tourism Office shall, not later than July 1, 2006:

24 (1) establish a website as required by Section
25 481.123, Government Code, as amended by this Act; and

26 (2) adopt a common permit application form as required
27 by Section 481.1241, Government Code, as added by this Act.

1 SECTION 5. This Act takes effect September 1, 2005.