

AN ACT

relating to the renewal period for a license or registration related to radioactive materials and other sources of radiation issued by the Department of State Health Services.

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

SECTION 1. Section 12.0111(d), Health and Safety Code, is amended to read as follows:

(d) This section does not apply to:

(1) a person regulated under Chapter 773; or

(2) a license or registration under Chapter 401.

SECTION 2. Section 12.0112(b), Health and Safety Code, is amended to read as follows:

(b) This section does not apply to a license issued for:

(1) a youth camp under Chapter 141; or

(2) a license or registration under Chapter 401.

SECTION 3. Section 401.301, Health and Safety Code, is amended by amending Subsections (c) and (d) and adding Subsection (f) to read as follows:

(c) The department may collect a fee, in addition to the ~~[annual]~~ license and registration fee, of not less than 20 percent of the amount of the ~~[annual]~~ license and registration fee nor more than \$10,000 ~~[per annum]~~ from each licensee or registrant who fails to pay the fees authorized by this section.

(d) The department may require that each person who holds a

1 specific license issued by the department [~~annually~~] pay to the
2 department an additional five percent of the appropriate [~~annual~~]
3 fee set under Subsection (b). Fees collected under this subsection
4 shall be deposited to the credit of the perpetual care account. The
5 fees are not refundable.

6 (f) Notwithstanding any other provision of this section,
7 the department may not assess a fee on a local law enforcement
8 agency for the licensing and registration of an X-ray machine that
9 is used to screen packages or other objects the agency suspects may
10 contain an explosive or other item that would pose a danger to the
11 public health and safety. Except as otherwise provided by this
12 subsection, a local law enforcement agency is subject to the
13 licensing and registration requirements of this chapter.

14 SECTION 4. The changes in law made by this Act to Section
15 401.301, Health and Safety Code, apply to the licensing and
16 registration of an X-ray machine on or after the effective date of
17 this Act. The licensing and registration of an X-ray machine before
18 the effective date of this Act is covered by the law in effect
19 immediately before that date, and the former law is continued in
20 effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2007.

H.B. No. 2285

President of the Senate

Speaker of the House

I certify that H.B. No. 2285 was passed by the House on May 10, 2007, by the following vote: Yeas 142, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2285 on May 25, 2007, by the following vote: Yeas 134, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2285 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor