

House Bill 2285
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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. Sections 401.301(c) and (d), Health and Safety Code, are amended 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 specific license issued by the department ~~[annually]~~ pay to the department an additional five percent of the appropriate ~~[annual]~~ fee set under Subsection (b). Fees collected under this subsection shall be deposited to the credit of the perpetual care account. The fees are not refundable.

SENATE VERSION

Same as House version.

Same as House version.

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

CONFERENCE

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

No equivalent provision.

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

SECTION 4. This Act takes effect September 1, 2007.

Same as House version.