

Amend **CSHB 963** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 53.002, Occupations Code, is amended to read as follows:

Sec. 53.002. APPLICABILITY OF CHAPTER. This chapter does not apply to:

(1) the Supreme Court of Texas, a person licensed under the court's authority on behalf of the judicial department of government, or an applicant for a license issued under the court's authority on behalf of the judicial department of government;

(2) a peace officer or an applicant for a license as a peace officer described by Article 2.12, Code of Criminal Procedure, or to a reserve law enforcement officer, a county jailer, or a public security officer licensed or applying for a license under Chapter 1701; ~~[or]~~

(3) a person licensed or applying for a license under Chapter 1702;

(4) a person licensed or applying for a license issued by the Texas State Board of Public Accountancy;

(5) a person licensed or applying for a license under Chapter 156, Finance Code; or

(6) a person who:

(A) is licensed or is applying for a license issued by the Texas Medical [State] Board [of Medical Examiners], the Texas State Board of Pharmacy, the State Board of Dental Examiners, the Texas State Board of Examiners of Psychologists, the Texas Board of Nursing, the Texas Optometry Board, or the State Board of Veterinary Medical Examiners; and

(B) has been convicted of:

(i) a felony under Chapter 481 or 483 or Section 485.033, Health and Safety Code;

(ii) an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or

(iii) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 53.021, Occupations Code, is amended to read as follows:

(a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation and that was committed less than five years before the date the person applies for the license.

SECTION _____. Subchapter B, Chapter 53, Occupations Code, is amended by adding Section 53.0211 to read as follows:

Sec. 53.0211. LICENSING OF CERTAIN APPLICANTS WITH PRIOR CRIMINAL CONVICTIONS. (a) Notwithstanding any other law and unless the applicant has been convicted of an offense described by Section 53.021(a), a licensing authority shall issue to an otherwise qualified applicant who has been convicted of an offense:

(1) the license for which the applicant applied; or

(2) a provisional license described by Subsection (b).

(b) A licensing authority may issue a provisional license for a term of six months to an applicant who has been convicted of an offense.

(c) The licensing authority shall revoke a provisional license if the provisional license holder:

(1) commits a new offense;

(2) commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, if applicable; or

(3) violates the law or rules governing the practice of the occupation for which the provisional license is issued.

(d) The licensing authority shall issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if the provisional license holder does not engage in conduct described by Subsection (c).

(e) If the licensing authority revokes a provisional license under Subsection (c), the provisional license holder is disqualified from receiving the license for which the applicant originally applied.

(f) An applicant who is on community supervision, mandatory supervision, or parole and who is issued a provisional license under this section shall provide to the licensing authority the name and contact information of the probation or parole department to which the person reports. The licensing authority shall notify the probation or parole department that a provisional license has been issued. The probation or parole department shall notify the licensing authority if the person's community supervision, mandatory supervision, or parole supervision is revoked during the term of the provisional license.

SECTION _____. The changes in law made by this Act by the amendment of Sections 53.002 and 53.021(a), Occupations Code, and the addition of Section 53.0211, Occupations Code, apply only to an application for a license filed with a licensing authority, to which Chapter 53, Occupations Code, applies, on or after the effective date of this Act. An application filed before that date is governed by the law in effect when the application is filed, and the former law is continued in effect for that purpose.