

BILL ANALYSIS

C.S.H.B. 2548
By: Kuempel
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Commission of Licensing and Regulation relies on the expertise of advisory boards when discussing issues that are technical in nature. Advisory boards, composed of industry experts in a particular regulated industry, would benefit in their deliberations from the input of a public member who has no connection to the industry.

C.S.H.B. 2548 adds a public member to those advisory boards that currently have no public member. These boards include the board of boiler rules, the Property Tax Consultants Advisory Council, the air conditioning and refrigeration contractors advisory board, the Advisory Board on Cosmetology, the Auctioneer Education Advisory Board, and the Towing and Storage Advisory Board.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2548 amends the Health and Safety Code to require two members of the board of boiler rules to be public members, increasing the number of members from nine to eleven. The bill provides that the two public members are not required to have experience with boilers.

C.S.H.B. 2548 amends the Occupations Code to require one member of the Property Tax Consultants Advisory Council to be a public member, increasing the number of members from six to seven. The bill provides that the public member is not subject to certain membership requirements.

C.S.H.B. 2548 requires one member of the air conditioning and refrigeration contractors advisory board to be a public member, increasing the number of members from six to seven.

C.S.H.B. 2548 requires one member of the Advisory Board on Cosmetology to be a member who represents a licensed public secondary or postsecondary beauty culture school and one member to be a public member, increasing the number of members from five to seven.

C.S.H.B. 2548 requires two members of the Auctioneer Education Advisory Board to be public members, increasing the number of members from five to seven. The bill increases from four-fifths to six-sevenths the vote necessary to remove a member appointed to the advisory board.

C.S.H.B. 2548 requires one member of the Towing and Storage Advisory Board to be a public member, increasing the number of members from eight to nine.

C.S.H.B. 2548 requires the presiding officer of the Texas Commission on Licensing and Regulation to appoint the public members of the advisory bodies to the Texas Department of

Licensing and Regulation not later than December 1, 2009.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2548 removes a provision from the original that amends the Agriculture Code to require at least one member of each advisory committee established by the Texas Department of Licensing and Regulation to be a public member. The substitute removes a provision from the original that amends the Occupations Code to require two members of the Advisory Board on Barbering to be public members, which would have increased the number of members from five to seven. The substitute differs from the original by requiring one of the two additional members of the Advisory Board of Cosmetology to be a member who represents a licensed public secondary or postsecondary beauty culture school and one member be a public member, whereas the original required the two additional members of the board to be public members. The bill makes a technical correction to a provision in the original.