

BILL ANALYSIS

C.S.H.B. 2698
By: Chisum
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Commission on Environmental Quality (the "commission") regulates approximately 50,000 occupational licenses and registrants in ten different professions, including public water system operators, wastewater operators, municipal solid waste facility supervisors, and others.

Current law only allows the commission to renew a license that has been expired for less than 30 days. The commission does not have the authority to consider extenuating circumstances which has led to a number of customer complaints. Additionally under current law, the late renewal fee for a license or registration that is expired is capped at one and a half times the amount of the normal fee. This bill would remove that cap and allow the commission to adjust the late fee based on the lateness of the renewal.

C.S.H.B. 2698 increases the time to 60 days after the expiration of the license or registration that a person may apply for a renewal.

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

SECTION 1. Amends Sec. 37.006 (f) and (g), Water Code, as follows:

Subsection (f) Provides that the time limit for renewal of the license is extended to 60 days, rather than 30 days.

Subsection (g) Provides that a license cannot be renewed if it is expired for more than 60 days, rather than 30 days.

SECTION 2. Provides that this Act only applies to licenses renewed after the date this law becomes effective.

SECTION 3. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2009.

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. Subsection (f) of the substitute adds language back into the bill concerning the commission's ability to assess a renewal fee not to exceed 1-1/2 times the normally required renewal fee that the original bill deleted.