

By: Kuempel

H.B. No. 2548

A BILL TO BE ENTITLED

AN ACT

relating to membership of certain advisory bodies to the Texas Department of Licensing and Regulation.

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

SECTION 1. Section 301.053, Agriculture Code, is amended to read as follows:

Sec. 301.053. ADVISORY COMMITTEES. The Texas Department of Licensing and Regulation may establish advisory committees to advise the Texas Department of Licensing and Regulation and to make recommendations to the Texas Department of Licensing and Regulation concerning legislation, policies, administration, research, and other matters related to the duties, powers, or functions of the Texas Department of Licensing and Regulation under this chapter. At least one member of each advisory committee must be a public member.

SECTION 2. Sections 755.011(b) and (c), Health and Safety Code, are amended to read as follows:

(b) The board is composed of the following 11 [~~nine~~] members appointed by the presiding officer of the commission, with the commission's approval:

(1) three members representing persons who own or use boilers in this state;

(2) three members representing companies that insure boilers in this state;

1           (3) one member representing boiler manufacturers or  
2 installers;

3           (4) one member representing organizations that repair  
4 or alter boilers in this state; ~~and~~

5           (5) one member representing a labor union; and

6           (6) two public members.

7           (c) All members except the members appointed under  
8 Subsection (b)(6) ~~[A member]~~ must have experience with boilers. To  
9 the extent possible, at least four members should be professional  
10 engineers registered in this state.

11           SECTION 3. Section 1152.102, Occupations Code, is amended  
12 by amending Subsections (a) and (c) and adding Subsection (d) to  
13 read as follows:

14           (a) The council is composed of seven ~~[six]~~ members appointed  
15 by the presiding officer of the commission, with the commission's  
16 approval.

17           (c) Except as provided by Subsection (d), each ~~[Each]~~ person  
18 appointed for membership on the council must:

19           (1) be a registered senior property tax consultant;

20           (2) be a member of a nonprofit and voluntary trade  
21 association:

22           (A) whose membership consists primarily of  
23 persons who perform property tax consulting services in this state  
24 or who engage in property tax management in this state for other  
25 persons;

26           (B) that has written experience and examination  
27 requirements for membership; and

1 (C) that subscribes to a code of professional  
2 conduct or ethics;

3 (3) be a resident of this state for the five years  
4 preceding the date of the appointment; and

5 (4) have performed or supervised the performance of  
6 property tax consulting services as the person's primary occupation  
7 continuously for the five years preceding the date of the  
8 appointment.

9 (d) One member of the council must be a public member.

10 SECTION 4. Section 1302.201, Occupations Code, is amended  
11 to read as follows:

12 Sec. 1302.201. ADVISORY BOARD MEMBERSHIP. The air  
13 conditioning and refrigeration contractors advisory board consists  
14 of seven [~~six~~] members appointed by the presiding officer of the  
15 commission, with the commission's approval, and two ex officio  
16 nonvoting members. One member of the advisory board must be a  
17 public member.

18 SECTION 5. Section 1601.051, Occupations Code, is amended  
19 to read as follows:

20 Sec. 1601.051. BOARD; MEMBERSHIP. The Advisory Board on  
21 Barbering consists of seven [~~five~~] members appointed by the  
22 presiding officer of the commission, with the commission's  
23 approval, as follows:

24 (1) two members, each of whom:

25 (A) is engaged in the practice of barbering as a  
26 Class A barber; and

27 (B) does not hold a barbershop permit;

1           (2) two members, each of whom is a barbershop owner who  
2 holds a barbershop permit; ~~and~~

3           (3) one member who holds a permit to conduct or operate  
4 a barber school; and

5           (4) two public members.

6           SECTION 6. Section 1602.051(a), Occupations Code, is  
7 amended to read as follows:

8           (a) The Advisory Board on Cosmetology consists of seven  
9 ~~[five]~~ members appointed by the presiding officer of the  
10 commission, with the commission's approval, as follows:

11           (1) one member who holds a license for a beauty shop  
12 that is part of a chain of beauty shops;

13           (2) one member who holds a license for a beauty shop  
14 that is not part of a chain of beauty shops;

15           (3) one member who holds a private beauty culture  
16 school license; ~~and~~

17           (4) two members who each hold an operator license; and

18           (5) two public members.

19           SECTION 7. Section 1802.102, Occupations Code, is amended  
20 to read as follows:

21           (a) The advisory board consists of seven ~~[five]~~ members  
22 appointed as follows:

23           (1) three members who are licensed auctioneers  
24 appointed by the presiding officer of the commission, with the  
25 commission's approval;

26           (2) the executive director of the Texas Department of  
27 Economic Development or the director's designee; ~~and~~

1           (3) the commissioner of education or the  
2 commissioner's designee; and

3           (4) two public members.

4           SECTION 8. Section 1802.105, Occupations Code, is amended  
5 to read as follows:

6           Sec. 1802.105. REMOVAL. A member appointed under Section  
7 1802.102(a)(1) may be removed by a six-sevenths [~~four-fifths~~] vote  
8 of the advisory board.

9           SECTION 9. Section 2308.051(a), Occupations Code, is  
10 amended to read as follows:

11           (a) The advisory board consists of the following members  
12 appointed by the presiding officer of the commission with the  
13 approval of the commission:

14           (1) one representative of a towing company operating  
15 in a county with a population of less than one million;

16           (2) one representative of a towing company operating  
17 in a county with a population of one million or more;

18           (3) one owner of a vehicle storage facility located in  
19 a county with a population of less than one million;

20           (4) one owner of a vehicle storage facility located in  
21 a county with a population of one million or more;

22           (5) one parking facility owner;

23           (6) one law enforcement officer from a county with a  
24 population of less than one million;

25           (7) one law enforcement officer from a county with a  
26 population of one million or more; [~~and~~]

27           (8) one representative of property and casualty

1 insurers who write automobile insurance in this state; and

2 (9) one public member.

3 SECTION 10. The presiding officer of the Texas Commission  
4 on Licensing and Regulation shall appoint the public members of the  
5 advisory bodies to the Texas Department of Licensing and  
6 Regulation, as required by this Act, not later than December 1,  
7 2009.

8 SECTION 11. This Act takes effect September 1, 2009.