

By: Williams

S.B. No. 2056

A BILL TO BE ENTITLED

1 AN ACT
2 relating to membership of certain advisory bodies to the Texas
3 Department of Licensing and Regulation.

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

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

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

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

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

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

23 (2) three members representing companies that insure
24 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.