

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 4, 2009

TO: Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB809 by Whitmire (Relating to the issuance of an occupational license to certain applicants with criminal convictions.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to allow various regulatory agencies to provide licenses or provisional licenses to applicants who have had certain previous criminal convictions. The bill would also authorize the licensing agency to revoke the provisional license if the provisional license holder commits a new offense, commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, or violates the law or rules governing the practice of the occupation for which the license is issued. The bill would require the licensing authority to notify the probation or parole department that a provisional license has been issued. The bill would require the licensing authority to issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if there are no violations. The bill would require licensing agencies to adopt rules to implement these provisions.

Based on the analysis of the Real Estate Commission, the Department of Licensing and Regulation, and the Department of Insurance, the Board of Professional Land Surveying, and the Board of Chiropractic Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing agency resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 329 Real Estate Commission, 452 Department of Licensing and Regulation, 454 Department of Insurance, 464 Board of Professional Land Surveying, 508 Board of Chiropractic Examiners

LBB Staff: JOB, ES, ESi, MW, JRO