

BILL ANALYSIS

C.S.H.B. 3287
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a person who is licensed by the Texas Department of Licensing and Regulation has a certain amount of time to renew that license, after which the license cannot be renewed. However, the person may obtain a new license by complying with the requirements and procedures, including the testing requirements, for obtaining an original license. C.S.H.B. 3287 addresses this situation by extending from less than one year to less than 18 months after the expiration of a license the period within which a person may renew the license by paying a specified renewal fee to the department.

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. 3287 amends the Occupations Code, in provisions of law relating to licenses issued by the Texas Department of Licensing and Regulation (TDLR), to increase from less than one year to less than 18 months after the expiration of such a license the maximum amount of time within which a person may renew the license by paying a specified renewal fee to the department. The bill provides that, on approval by the executive director of TDLR, a person whose license has been expired for at least 18 months but less than three years is authorized to renew the license by paying to the department a specified renewal fee. The bill increases from one year or more to 18 months or more the length of time a license has been expired at which a person is prohibited from renewing the license, except as provided by the bill's provisions, and may obtain a new license by complying with the requirements and procedures for obtaining an original license. The bill makes a conforming change.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3287 omits a provision included in the original authorizing the Texas Commission of Licensing and Regulation by rule to prescribe the time between periodic inspections conducted by the Texas Department of Licensing and Regulation (TDLR) as necessary to enforce the laws administered by TDLR and requiring the commission, in adopting such rules, to consider certain risks to public health and safety posed by the regulated activity and available resources of the department.

C.S.H.B. 3287 differs from the original by increasing from less than one year to less than 18 months after the expiration of a license the maximum amount of time within which a person may renew the license, whereas the original increases that maximum amount of time from less than

one year to less than three years. The substitute contains a provision not included in the original authorizing a person whose license has been expired for at least 18 months but less than three years to renew the license by paying a specified renewal fee.

C.S.H.B. 3287 differs from the original by increasing from one year or more to 18 months or more the length of time a license has been expired at which a person is prohibited from renewing the license, whereas the original increases that time from one year or more to three years or more. The substitute differs from the original by making a conforming change.