

By: Solomons, et al.

H.B. No. 197

Substitute the following for H.B. No. 197:

By: Frullo

C.S.H.B. No. 197

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain documentation before a person may engage in a licensed occupation; providing a criminal penalty.

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

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. PROOF OF CITIZENSHIP OR AUTHORIZATION TO WORK REQUIRED

Sec. 60.001. DEFINITIONS. In this chapter:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority; and

(B) an individual must obtain to practice or engage in a particular business, occupation, or profession.

(2) "Licensing authority" means a department, commission, board, office, or other agency of the state that issues a license.

Sec. 60.002. EXCEPTION. This chapter does not apply to a license issued under Section 2052.107(1).

Sec. 60.003. PROOF OF CITIZENSHIP OR AUTHORIZATION TO WORK REQUIRED. An individual who is licensed to practice or engage in a particular business, occupation, or profession may engage in that work under the license only after the license holder provides to the licensing authority documentation that the license holder is:

(1) a citizen of the United States; or

1 (2) lawfully present in the United States and
2 authorized to engage in the work authorized under the license.

3 Sec. 60.004. SUBMISSION OF DOCUMENTATION. (a) Except as
4 provided by Subsection (b), a license holder shall submit the
5 documentation required by Section 60.003 to the appropriate
6 licensing authority at the time of an application for the issuance
7 or renewal of the license.

8 (b) An applicant who submits an application through the
9 TexasOnline system or another electronic means shall submit the
10 documentation required by Section 60.003 not later than the 30th
11 day after the date the application is submitted electronically.

12 (c) Each licensing authority by rule shall prescribe forms
13 and procedures by which a license holder may submit the
14 documentation required by Section 60.003.

15 Sec. 60.005. CRIMINAL PENALTY. (a) An individual commits
16 an offense if the individual violates this chapter.

17 (b) An offense under this section is a Class A misdemeanor.

18 SECTION 2. (a) In this section:

19 (1) "License" means a license, certificate,
20 registration, permit, or other authorization that:

21 (A) is issued by a licensing authority; and

22 (B) an individual must obtain to practice or
23 engage in a particular business, occupation, or profession.

24 (2) "Licensing authority" means a department,
25 commission, board, office, or other agency of this state that
26 issues a license.

27 (b) Each licensing authority shall adopt rules under

1 Chapter 60, Occupations Code, as added by this Act, not later than
2 January 1, 2012.

3 (c) The change in law made by this Act applies only to an
4 application for the issuance or renewal of a license that is filed
5 with a licensing authority on or after March 1, 2012. An
6 application for the issuance or renewal of a license that is filed
7 before March 1, 2012, is governed by the law in effect on the date
8 the application was filed, and the former law is continued in effect
9 for that purpose.

10 SECTION 3. This Act takes effect September 1, 2011.