

AN ACT

relating to certification requirements for certain property tax professionals.

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

SECTION 1. The heading to Section 1151.160, Occupations Code, is amended to read as follows:

Sec. 1151.160. CERTIFICATION LEVELS AND REQUIREMENTS;  
RULES.

SECTION 2. Section 1151.160, Occupations Code, is amended by amending Subsections (a) and (c) and adding Subsections (d), (e), (f), (g), (h), and (i) to read as follows:

(a) The commission by rule shall adopt minimum requirements for the certification of registrants. The requirements for certification of a registrant [~~an employee of a taxing unit's tax office~~] must emphasize the areas of responsibility of the registrant in performing the registrant's duties for the taxing unit.

(c) A [~~The rules establishing minimum requirements must require that:~~

~~(1) a~~] person registered as an appraiser shall become certified as a registered professional appraiser not later than the fifth anniversary of the date of the person's original registration. The person shall obtain certification by:

(1) successfully completing the certification

1 requirements established by commission rule; or

2 (2) if the person is certified or licensed under  
3 Chapter 1103 as an appraiser by the Texas Appraiser Licensing and  
4 Certification Board, passing the appropriate examination required  
5 under Section 1151.161.

6 (d) A [(2)—a] person registered as an assessor or  
7 assessor-collector shall become certified as a registered Texas  
8 assessor not later than the fifth anniversary of the date of the  
9 person's original registration. [~~;~~ and]

10 (e) A [(3)—a] person registered as a collector shall become  
11 certified as a registered Texas collector not later than the third  
12 anniversary of the date of the person's original registration.

13 (f) In this subsection, "break in service" means time during  
14 which a person is not employed in the type of employment for which  
15 the person is registered, other than a period resulting from  
16 termination for cause. A registrant who has a break in service is  
17 entitled to an adjustment of the applicable anniversary date  
18 described by Subsection (c), (d), or (e) equal to the length of the  
19 break in service, as determined by commission rule. A person who  
20 has a break in service that exceeds five years must submit a new  
21 application and proof of completion of current course requirements,  
22 unless otherwise excepted under commission rule.

23 (g) A registrant who has not obtained the certification  
24 required by Subsection (c), (d), or (e) within the time required by  
25 the applicable subsection is entitled to a one-year extension to  
26 meet the certification requirements if:

27 (1) the applicant submits proof of active military

1 status performed after the date of the applicant's original  
2 registration;

3 (2) the applicant submits proof of leave under the  
4 federal Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601  
5 et seq.) taken after the date of the applicant's original  
6 registration;

7 (3) the applicant submits proof of a death or illness  
8 in the family or an unforeseen emergency occurring after the date of  
9 the applicant's original registration that prevented the  
10 registrant from meeting certification requirements;

11 (4) a county tax assessor-collector, chief appraiser,  
12 chief administrative officer of a political subdivision, or other  
13 person authorized by the commission by rule requests the extension  
14 on behalf of an employee;

15 (5) the applicant requesting the extension is a county  
16 tax assessor-collector or chief appraiser; or

17 (6) the applicant meets another reasonable  
18 qualification for an extension established by the commission by  
19 rule.

20 (h) The commission shall establish reasonable  
21 qualifications for reapplication for a registration by an applicant  
22 who does not meet any of the requirements of Subsection (g) or  
23 Section 1151.1605.

24 (i) The commission shall adopt rules as necessary to  
25 implement this section.

26 SECTION 3. Subchapter D, Chapter 1151, Occupations Code, is  
27 amended by adding Section 1151.1605 to read as follows:

1       Sec. 1151.1605. REINSTATEMENT OF REGISTRATION. (a) A  
2 person who has not satisfied the requirements for certification  
3 within the time required by Section 1151.160(c), (d), or (e) or  
4 rules adopted under those subsections may apply for reinstatement  
5 of a registration under this section if that person obtained  
6 registration before December 31, 2010, as a Class II collector, a  
7 Class III appraiser, or a Class III assessor-collector as defined  
8 by a rule adopted by the commission under Section 1151.160.

9       (b) A qualified person may apply for reinstatement of a  
10 registration if, before December 31, 2011, that person:

11             (1) pays a \$250 fee; and

12             (2) files a completed reinstatement application on a  
13 form prescribed by the department.

14       (c) A registration reinstated under this section expires on  
15 December 31, 2013, and may not be renewed unless the applicant  
16 satisfies all registration and certification requirements,  
17 including any education and examination requirements, before  
18 December 31, 2013.

19       (d) If a person completes the registration and  
20 certification requirements in order to renew a registration under  
21 Subsection (c), the date of registration shall be the same as the  
22 date of completion of the requirements.

23       (e) This section expires December 31, 2013.

24       SECTION 4. Subchapter D, Chapter 1151, Occupations Code, is  
25 amended by adding Section 1151.165 to read as follows:

26       Sec. 1151.165. INACTIVE STATUS. The commission may adopt  
27 rules to allow a registrant to place a registration issued by the

1 department on inactive status in the same manner as a license is  
2 placed on inactive status under Section 51.4011.

3 SECTION 5. (a) The Texas Commission of Licensing and  
4 Regulation shall adopt rules under Section 1151.160, Occupations  
5 Code, as amended by this Act, and Section 1151.165, Occupations  
6 Code, as added by this Act, not later than February 1, 2012.

7 (b) The Texas Commission of Licensing and Regulation shall  
8 adopt rules under Section 1151.1605, Occupations Code, as added by  
9 this Act, not later than October 1, 2011.

10 SECTION 6. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1179 was passed by the House on April 21, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1179 on May 23, 2011, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1179 was passed by the Senate, with amendments, on May 19, 2011, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor