

By: Flynn

H.B. No. 1179

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certification requirements for certain property tax
3 professionals.

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

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

7 Sec. 1151.160. CERTIFICATION LEVELS AND REQUIREMENTS;
8 RULES.

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

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

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

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

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

17 (1) the applicant submits proof of active military
18 status performed after the date of the applicant's original
19 registration;

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

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

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

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

7 (6) the applicant meets another reasonable
8 qualification for an extension established by the commission by
9 rule.

10 (g) The commission shall establish reasonable
11 qualifications for reapplication for a registration by an applicant
12 who does not meet any of the requirements of Subsection (f) or
13 Section 1151.1605.

14 (h) The commission shall adopt rules as necessary to
15 implement this section.

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

18 Sec. 1151.1605. REINSTATEMENT OF REGISTRATION. (a) A
19 person who has not satisfied the requirements for certification
20 within the time required by Section 1151.160(c) or rules adopted
21 under that section may apply for reinstatement of a registration
22 under this section if that person obtained registration before
23 December 31, 2010, as a Class II collector, a Class III appraiser,
24 or a Class III assessor-collector as defined by a rule adopted by
25 the commission under Section 1151.160.

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

1 (1) pays a fee in an amount determined by the
2 department; and

3 (2) files a completed reinstatement application on a
4 form prescribed by the department.

5 (c) A registration reinstated under this section expires on
6 December 31, 2013, and may not be renewed unless the applicant
7 satisfies all registration and certification requirements,
8 including any education and examination requirements, before
9 December 31, 2013.

10 (d) If a person completes the registration and
11 certification requirements in order to renew a registration under
12 Subsection (c), the date of registration shall be the same as the
13 date of completion of the requirements.

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

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

17 Sec. 1151.165. INACTIVE STATUS. The commission may adopt
18 rules to allow a registrant to place a registration issued by the
19 department on inactive status in the same manner as a license is
20 placed on inactive status under Section 51.4011.

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

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

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