

By: Harper-Brown

H.B. No. 3290

Substitute the following for H.B. No. 3290:

By: Kuempel

C.S.H.B. No. 3290

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the repeal of the certification process for personnel
3 service owners and the regulation of personnel services.

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

5 SECTION 1. Section 2501.202, Occupations Code, is amended
6 to read as follows:

7 Sec. 2501.202. INJUNCTION AND OTHER REMEDIES. A plaintiff
8 in an action filed under Section 2501.201 may obtain:

9 (1) an order enjoining the defendant from violating
10 this chapter;

11 (2) any order necessary to restore to the plaintiff
12 any property acquired by the defendant in violation of this
13 chapter; or

14 (3) other relief the court considers proper,
15 including:

16 (A) the appointment of a receiver if the judgment
17 against the defendant is not satisfied within three months after
18 the date of the final judgment; or

19 (B) [~~the revocation of a certificate authorizing~~
20 ~~the defendant to engage in business in this state, or~~

21 [~~(C)~~] an order enjoining the defendant from
22 acting as a personnel service.

23 SECTION 2. The following provisions of the Occupations Code
24 are repealed:

- 1 (1) Sections 2501.001(2), (3-a), and (4-a);
- 2 (2) Section 2501.201(c);
- 3 (3) Section 2501.253; and
- 4 (4) Subchapters B and D, Chapter 2501.

5 SECTION 3. The changes in law made by this Act apply only to
6 liability for relief in an action under Section 2501.201,
7 Occupations Code, filed on or after the effective date of this Act.
8 An action filed before the effective date of this Act is governed by
9 the law in effect when the action was filed, and the former law is
10 continued in effect for that purpose.

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