

By: Carona

S.B. No. 1168

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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 The following provisions of the Occupations Code are repealed:

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

SECTION 3. The changes in law made by this Act apply only to an action alleging a violation of Section 2501.201, Occupations Code, filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law in effect when the action was filed, and the former law is continued in effect for that purpose.

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