

1-1 By: Carona S.B. No. 1168
1-2 (In the Senate - Filed March 4, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 11, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 11, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1168 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the repeal of the certification process for personnel
1-11 service owners and the regulation of personnel services.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 2501.202, Occupations Code, is amended
1-14 to read as follows:

1-15 Sec. 2501.202. INJUNCTION AND OTHER REMEDIES. A plaintiff
1-16 in an action filed under Section 2501.201 may obtain:

1-17 (1) an order enjoining the defendant from violating
1-18 this chapter;

1-19 (2) any order necessary to restore to the plaintiff
1-20 any property acquired by the defendant in violation of this
1-21 chapter; or

1-22 (3) other relief the court considers proper,
1-23 including:

1-24 (A) the appointment of a receiver if the judgment
1-25 against the defendant is not satisfied within three months after
1-26 the date of the final judgment; or

1-27 (B) ~~[the revocation of a certificate authorizing~~
1-28 ~~the defendant to engage in business in this state; or~~

1-29 ~~[(C)]~~ an order enjoining the defendant from
1-30 acting as a personnel service.

1-31 SECTION 2. The following provisions of the Occupations Code
1-32 are repealed:

1-33 (1) Subdivisions (2), (3-a), and (4-a), Section
1-34 2501.001;

1-35 (2) Subsection (c), Section 2501.201;

1-36 (3) Section 2501.253; and

1-37 (4) Subchapters B and D, Chapter 2501.

1-38 SECTION 3. The changes in law made by this Act apply only to
1-39 liability for relief in an action under Section 2501.201,
1-40 Occupations Code, filed on or after the effective date of this Act.
1-41 An action filed before the effective date of this Act is governed by
1-42 the law in effect when the action was filed, and the former law is
1-43 continued in effect for that purpose.

1-44 SECTION 4. This Act takes effect immediately if it receives
1-45 a vote of two-thirds of all the members elected to each house, as
1-46 provided by Section 39, Article III, Texas Constitution. If this
1-47 Act does not receive the vote necessary for immediate effect, this
1-48 Act takes effect September 1, 2011.

1-49 * * * * *