

House Bill 1179
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 requirements established by commission rule; or

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

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

(e) A [~~(3)—a~~] person registered as a collector shall become

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SECTION 1. Same as House version.

SECTION 2. Same as House version.

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certified as a registered Texas collector not later than the third anniversary of the date of the person's original registration.

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

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

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

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

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

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

(5) the applicant requesting the extension is a county tax

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assessor-collector or chief appraiser; or
(6) the applicant meets another reasonable qualification for an extension established by the commission by rule.
(h) The commission shall establish reasonable qualifications for reapplication for a registration by an applicant who does not meet any of the requirements of Subsection (g) or Section 1151.1605.
(i) The commission shall adopt rules as necessary to implement this section.

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

Sec. 1151.1605. REINSTATEMENT OF REGISTRATION.

(a) A person who has not satisfied the requirements for certification within the time required by Section 1151.160(c) or rules adopted under that section may apply for reinstatement of a registration under this section if that person obtained registration before December 31, 2010, as a Class II collector, a Class III appraiser, or a Class III assessor-collector as defined by a rule adopted by the commission under Section 1151.160.

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

- (1) pays a \$250 fee; and
- (2) files a completed reinstatement application on a form prescribed by the department.

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

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

Sec. 1151.1605. REINSTATEMENT OF REGISTRATION.

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

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

- (1) pays a \$250 fee; and
- (2) files a completed reinstatement application on a form prescribed by the department.

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

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requirements, before December 31, 2013.

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

(e) This section expires December 31, 2013.

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

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

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

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

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requirements, before December 31, 2013.

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

(e) This section expires December 31, 2013.

SECTION 4. Same as House version.

SECTION 5. Same as House version.

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