

BILL ANALYSIS

H.B. 1717

By: Price

Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Board of Architectural Examiners (Board) regulates architects, landscape architects, and registered interior designers. To fulfill its mission of protecting the public, the Board licenses these design professionals, investigates complaints, and takes disciplinary actions against individuals who violate the Board's statute or rules.

The Board is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the Legislature. The Sunset Commission concluded that Texas has an ongoing need for the functions of the Board, but that changes are needed to ensure public protection and effective state regulation of interior designers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill expressly grants rulemaking authority to the Texas Board of Architectural Examiners in SECTION 9.

ANALYSIS

Continuation of the Board

The bill changes the date of the Board's next Sunset review to 2025.

Fingerprint-based criminal background checks

H.B. 1717 requires applicants for certificates of registration and certificate renewal on or after January 1, 2014 to submit their fingerprints to the Board or the Department of Public Safety (DPS) to obtain criminal history record information from DPS and the Federal Bureau of Investigation. The bill prohibits the Board from issuing a certificate of registration or a certificate renewal to a person who does not comply with this requirement. The bill requires the Board to conduct fingerprint criminal history checks for certificates of registration and authorizes the Board to enter into an agreement with DPS to administer a criminal history check. H.B. 1717 also authorizes DPS to collect the costs incurred in conducting the criminal history check from each applicant.

Renewal for certain registered interior designers

The Bill requires registered interior designers who were registered without having passed the Board's required examination to do so before September 1, 2016 to be able to renew their registration on or after that date. H.B. 1717 repeals the section of code allowing registration without examination for certain applicants applying between September 1, 1991 and September 1, 1994.

Late renewal penalties

H.B. 1717 clarifies that penalties for the late renewal of any Board certificate of registration on or after January 1, 2014 are based only on the renewal fee set by the Board, and does not include the separate \$200 professional fee in statute.

Administrative penalties

H.B. 1717 authorizes the Board to apply administrative penalties per violation for each day the violation occurred.

Professional fee

The Bill requires the Board to assess the \$200 professional fee at the issuance of a certificate of registration for all architects on or after January 1, 2014, not just those issued to qualified architects from another state. The bill maintains the existing requirement in law for the fee for renewals of architects' certificates of registration.

Repealer

Occupations Code, §1053.158

EFFECTIVE DATE

September 1, 2013