

BILL ANALYSIS

H.B. 2908
By: Dutton
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that there has been a recent trend among municipalities to adopt ordinances that impose additional restrictions and regulations on state license holders. Many state license holders who are subject to this additional regulation assert that the authority granted to them by the state to practice their profession or legally conduct business is effectively taken away through this additional layer of regulation, which interested parties contend is unnecessary, burdensome, and harmful to the economic growth of the state.

H.B. 2908 seeks to provide more consistency in occupational regulation in the state by amending the applicable law relating to the authority of a municipality to regulate a state license holder.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2908 amends the Local Government Code to authorize the governing body of a municipality to adopt and enforce an ordinance, rule, or regulation necessary to carry out other powers or any other state law to regulate a person who holds a license issued by a state agency only if state law expressly authorizes the governing body of a municipality to adopt and enforce an ordinance, rule, or regulation to regulate the person in the manner in which the ordinance, rule, or regulation proposes to regulate the person.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.