

BILL ANALYSIS

H.B. 3647
By: Harper-Brown
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The House Committee on Government Reform evaluated policy implications of the widespread licensing and regulation of professionals of Texas in the committee's interim report to the 81st Legislature. This report found that occupational licensing programs administered by Texas have grown to affect a significant portion of the state's workforce. According to the report, Texas regulates more than 500 types of occupations, representing the jobs held by approximately 2.7 million Texans, or nearly one-third of the state workforce, which is higher than the national average.

While some occupational licensing programs serve a compelling public interest, the committee found that the state's policy emphasis in favor of greater occupational regulation can have negative implications for the state's workforce and consumers, such as restricting an individual's entry into regulated occupations, protecting licensees from additional competition, which limits consumer choice while increasing the prices for services rendered, in addition to other implications relating to the expansion of state government, spending, and regulatory control over certain segments of the state's job market. In light of these concerns, interested parties assert that licensing requirements for salespersons of manufactured housing are unnecessary. H.B. 3647 seeks to lower this barrier to entry into this profession by removing licensing and fee requirements for salespersons of manufactured housing.

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. 3647 amends the Occupations Code to repeal statutory provisions prohibiting a person from acting as a salesperson of manufactured housing unless the person holds a salesperson's license and statutory provisions prohibiting a retailer or broker from employing or otherwise using the services of a salesperson who is not licensed.

H.B. 3647 repeals the following provisions of the Occupations Code:

- Section 1201.101(f)
- Section 1201.102(c)
- Section 1201.103(d)
- Section 1201.104(c)
- Section 1201.158

EFFECTIVE DATE

September 1, 2013.