

By: Dukes

H.B. No. 453

Substitute the following for H.B. No. 453:

By: S. Davis of Harris

C.S.H.B. No. 453

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the application, renewal, and period of validity of a
3 registration under the Texas Controlled Substances Act;
4 authorizing the increase of a fee.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 481.063(g), Health and Safety Code, is
7 amended to read as follows:

8 (g) A registration is valid until the third [~~first~~]
9 anniversary of the date of issuance and is renewable every three
10 years [~~may be renewed annually~~] under rules adopted by the
11 director, unless a rule provides for a longer period of validity or
12 renewal.

13 SECTION 2. Subchapter C, Chapter 481, Health and Safety
14 Code, is amended by adding Section 481.0631 to read as follows:

15 Sec. 481.0631. ELECTRONIC RENEWAL. (a) The department
16 shall implement an electronic registration program on the
17 department's Internet website to allow a registrant to submit over
18 the Internet:

19 (1) a registration renewal application; and

20 (2) the payment of any applicable fee.

21 (b) The director shall adopt rules as necessary to implement
22 this section, including rules establishing procedures as
23 appropriate to ensure the integrity, accuracy, and security of
24 renewal applications submitted electronically.

1 SECTION 3. Section 481.064(a), Health and Safety Code, is
2 amended to read as follows:

3 (a) The director may charge a nonrefundable fee of not more
4 than \$75 [~~\$25~~] before processing an application for an initial
5 [~~annual~~] registration or an application for a registration renewal
6 and may charge a late fee of not more than \$50 for each application
7 for renewal the department receives after the date the registration
8 expires. The director by rule shall set the amounts of the fees at
9 the amounts that are necessary to cover the cost of administering
10 and enforcing this subchapter. Except as provided by Subsection
11 (b) and Section 481.0631(a)(2), registrants shall pay the fees to
12 the director. Not later than 90 [~~60~~] days before the date the
13 registration expires, the director shall send a renewal notice to
14 the registrant:

15 (1) at the last known address of the registrant
16 according to department records; or

17 (2) if the registrant has indicated to the department
18 a preference to receive notifications electronically, to the e-mail
19 address provided by the registrant.

20 SECTION 4. (a) The change in law made by this Act applies to
21 an application for an initial registration under Subchapter C,
22 Chapter 481, Health and Safety Code, that is submitted on or after
23 September 1, 2014. An application for an initial registration
24 submitted before September 1, 2014, is governed by the law as it
25 existed immediately before the effective date of this Act, and the
26 former law is continued in effect for that purpose.

27 (b) The change in law made by this Act applies to a renewal

1 of a registration under Subchapter C, Chapter 481, Health and
2 Safety Code, that expires on or after September 1, 2014. A
3 registration that expires before September 1, 2014, is governed by
4 the law as it existed immediately before the effective date of this
5 Act, and the former law is continued in effect for that purpose.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.