

By: Dukes

H.B. No. 453

A BILL TO BE ENTITLED

AN ACT

relating to the application, renewal, and period of validity of a registration under the Texas Controlled Substances Act.

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

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

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

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

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

(1) a registration renewal application; and

(2) the payment of any applicable fee.

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

SECTION 3. Section 481.064(a), Health and Safety Code, is

1 amended to read as follows:

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

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

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

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

26 (b) The change in law made by this Act applies to a renewal of
27 a registration under Subchapter C, Chapter 481, Health and Safety

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

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