

By: Guillen

H.B. No. 2953

A BILL TO BE ENTITLED

AN ACT

relating to the ability of a state license holder to practice the person's profession.

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

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. ABILITY TO PRACTICE PROFESSION

Sec. 60.01. DEFINITIONS. In this chapter:

(1) "State license holder" means a person who:

(A) is required by state law to obtain a license, permit, registration, certificate, or other evidence of authority from a state licensing authority to practice an occupation or conduct a business; and

(B) is subject to regulation by the licensing authority.

(2) "State licensing authority" means a state agency, department, board, or commission.

Sec. 60.02. ADDITIONAL REGULATION OF STATE LICENSE HOLDER PROHIBITED. (a) Notwithstanding any other law, unless expressly authorized by state law, the governing body of a municipality may not adopt or enforce any ordinance, rule, or regulation that establishes requirements for, imposes restrictions on, or otherwise regulates the business activity of a state license holder within the municipality or the municipality's extraterritorial

1 jurisdiction.

2 (b) A municipal ordinance, rule, or regulation that
3 violates this section is void and unenforceable.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2013.