

House Bill 798
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 53.021(a), Occupations Code, is amended to read as follows:

(a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of an offense, other than an offense punishable as a Class C misdemeanor, that:

- (1) ~~[an offense that]~~ directly relates to the duties and responsibilities of the licensed occupation;
- (2) ~~[an offense that]~~ does not directly relate to the duties and responsibilities of the licensed occupation and that was committed less than five years before the date the person applies for the license;
- (3) is ~~[an offense]~~ listed in Section 3g, Article 42.12, Code of Criminal Procedure; or
- (4) is a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

No equivalent provision, but see SECTION 1 above.

SECTION 2. The change in law made by this Act applies to an application for, or a disciplinary proceeding regarding, a

SENATE VERSION (CS)

No equivalent provision, but see SECTION 1 below.

SECTION 1. Section 53.021, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Subsection (a) does not apply to a person who has been convicted only of an offense punishable as a Class C misdemeanor unless:

- (1) the person is an applicant for or the holder of a license that authorizes the person to possess a firearm; and
- (2) the offense for which the person was convicted is a misdemeanor crime of domestic violence as that term is defined by 18 U.S.C. Section 921.

SECTION 2. Same as House version.

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license or other authorization that is pending with a licensing authority on the effective date of this Act or an application filed or a disciplinary proceeding commenced on or after that date.

SECTION 3. This Act takes effect September 1, 2013.

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SECTION 3. Same as House version.

CONFERENCE