

BILL ANALYSIS

C.S.H.B. 2464
By: Smith
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, the Texas State Board of Plumbing Examiners currently has no mechanism to allow a licensee to transfer the licensee's license number to another licensee, a request that generally occurs when a licensee who is retiring or has died has a family member who is also licensed and would like to inherit a more senior license number. C.S.H.B. 2464 seeks to provide for such a transfer.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 2464 amends the Occupations Code to authorize a person who holds an unexpired license under the Plumbing License Law and whose license has been held continuously for at least 50 consecutive years, on approval by the Texas State Board of Plumbing Examiners, to transfer the license on the date of the person's retirement or death to another person who is related within the second degree by consanguinity to the transferor and holds a license as a journeyman plumber or master plumber under the Plumbing License Law. The bill requires the application for the license transfer to include the transferor's consent and a designation of whether the license will transfer on the retirement or death of the transferor. The bill requires the board to transfer a license to a person who submits an application and presents evidence satisfactory to the board that the person meets the requirements and that the transferor is retired or dead. The bill requires the board, as soon as practicable after the bill's effective date, to adopt rules and prescribe forms necessary to implement the bill's provisions and, not later than January 1, 2016, to begin accepting applications for the transfer of licenses.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2464 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 1301.359(b), Occupations Code, is amended.

SECTION 2. Subchapter H, Chapter 1301, Occupations Code, is amended by adding Section 1301.406 to read as follows:

Sec. 1301.406. TRANSFER OF LICENSE.

(a) On approval by the board, a person who holds an unexpired license under this chapter and whose license has been held continuously for at least 50 consecutive years may transfer the license on the date of the person's retirement or death to another person who:

(1) is related within the first degree by consanguinity to the transferor; and

(2) holds a license as a journeyman plumber or master plumber under this chapter.

(b) The application for a license transfer under this section must include the transferor's consent and a designation of whether the license will transfer on the retirement or death of the transferor.

(c) The board shall transfer a license to a person who submits an application and presents evidence satisfactory to the board that:

(1) the person meets the requirements under Subsections (a)(1) and (a)(2); and

(2) the transferor is retired or dead.

SECTION 3. As soon as practicable after the effective date of this Act, the Texas State Board of Plumbing Examiners shall adopt rules and prescribe forms necessary to implement the changes in law made by Section 1301.406, Occupations Code, as added by this Act.

SECTION 4. Not later than January 1, 2016, the Texas State Board of Plumbing Examiners shall begin accepting applications for the transfer of licenses under Section 1301.406, Occupations Code, as added by this Act.

SECTION 5. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Subchapter H, Chapter 1301, Occupations Code, is amended by adding Section 1301.406 to read as follows:

Sec. 1301.406. TRANSFER OF LICENSE.

(a) On approval by the board, a person who holds an unexpired license under this chapter and whose license has been held continuously for at least 50 consecutive years may transfer the license on the date of the person's retirement or death to another person who:

(1) is related within the second degree by consanguinity to the transferor; and

(2) holds a license as a journeyman plumber or master plumber under this chapter.

(b) The application for a license transfer under this section must include the transferor's consent and a designation of whether the license will transfer on the retirement or death of the transferor.

(c) The board shall transfer a license to a person who submits an application and presents evidence satisfactory to the board that:

(1) the person meets the requirements under Subsections (a)(1) and (a)(2); and

(2) the transferor is retired or dead.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.