

By: Capriglione

H.B. No. 2734

A BILL TO BE ENTITLED

AN ACT

relating to the voluntary certification of roofing companies by the Texas Department of Licensing and Regulation; authorizing fees.

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

SECTION 1. Title 8, Occupations Code, is amended by adding Chapter 1306 to read as follows:

CHAPTER 1306. ROOFING COMPANIES

Sec. 1306.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Commission of Licensing and Regulation.

(2) "Department" means the Texas Department of Licensing and Regulation.

(3) "Executive director" means the executive director of the department.

(4) "Roofing company" means a business entity that engages in installing, repairing, replacing, or modifying a roof on a residence or other building for the public.

Sec. 1306.002. VOLUNTARY CERTIFICATION PROGRAM FOR ROOFING COMPANIES. (a) The commission by rule shall develop a voluntary certification program for roofing companies under this chapter.

(b) A roofing company that holds a certificate issued under this chapter may advertise that the company is certified by the state.

Sec. 1306.003. FEES. The commission may establish

1 reasonable and necessary fees in amounts sufficient for the  
2 administration of this chapter.

3 Sec. 1306.004. CERTIFICATE; EXPIRATION. (a) The executive  
4 director may issue a certificate to a roofing company that meets the  
5 requirements of Section 1306.005.

6 (b) A certificate issued under this chapter expires on the  
7 first anniversary of the date the certificate is issued.

8 Sec. 1306.005. APPLICATION. (a) An applicant for a roofing  
9 company certificate must submit an application to the department on  
10 a form prescribed by the executive director.

11 (b) The application must be accompanied by:

12 (1) a copy of the applicant's certificate of status  
13 issued by the secretary of state confirming the roofing company's  
14 existence and authority to conduct business in this state;

15 (2) proof of insurance coverage as required by the  
16 commission; and

17 (3) the application fee.

18 Sec. 1306.006. RENEWAL OF CERTIFICATE. (a) To renew a  
19 certificate, a person must submit an application for renewal to the  
20 department on a form prescribed by the executive director.

21 (b) The application must be accompanied by:

22 (1) proof that the applicant's right to transact  
23 business in this state is intact under a certificate of status  
24 issued by the secretary of state;

25 (2) proof that the applicant's required insurance  
26 coverage is current; and

27 (3) the renewal fee.

1       Sec. 1306.007. REVOCATION OF CERTIFICATE. (a) The  
2 department shall revoke the certificate issued by the department  
3 under this chapter if the department determines that the  
4 certificate holder's:

5           (1) right to transact business in this state under a  
6 certificate of status issued by the secretary of state has  
7 terminated; or

8           (2) insurance required under this chapter has  
9 terminated.

10       (b) The department shall send written notice of the  
11 revocation to the certificate holder. The notice must state the  
12 grounds for the revocation.

13       Sec. 1306.008. DECEPTIVE TRADE PRACTICE. A roofing company  
14 that advertises that the company is certified by the state after  
15 receiving a notice of revocation of the certificate under Section  
16 1306.007 commits a false, misleading, or deceptive act or practice  
17 within the meaning of Section 17.46, Business & Commerce Code.

18       SECTION 2. This Act takes effect September 1, 2015.