

By: Schaefer

H.B. No. 3713

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to regulate occupations.

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

SECTION 1. Subchapter A, Chapter 215, Local Government Code, is amended by adding Section 215.001 to read as follows:

Sec. 215.001. MUNICIPAL REGULATION OF OCCUPATIONS IN GENERAL. (a) In this section:

(1) "Occupational license" means a license, permit, registration certificate, or other evidence of authority that is:

(A) issued by a licensing authority; and

(B) required by an ordinance or a law for a person to practice an occupation.

(2) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission that issues an occupational license.

(b) Notwithstanding any other state law, including Section 51.001, unless expressly authorized by state law, the governing body of a municipality may not adopt or enforce any ordinance, rule, or regulation that:

(1) establishes additional, more stringent licensing requirements for an occupation that requires an occupational license issued by a state licensing authority; or

1           (2) requires a person to obtain an occupational  
2 license issued by the municipality.

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

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