

By: Smith

H.B. No. 3742

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the Texas Department of Licensing and
3 Regulation to determine applicant eligibility for a license.

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

5 SECTION 1. Subchapter H, Chapter 51, Occupations Code, is
6 amended by adding Section 51.4041 to read as follows:

7 Sec. 51.4041. ALTERNATIVE QUALIFICATIONS FOR LICENSE. (a)
8 The commission, department, or executive director may adopt
9 alternative means of determining or verifying a person's
10 eligibility for a license issued by the department, including
11 evaluating the person's education, training, experience, and
12 military service.

13 (b) Notwithstanding any other law, the commission or the
14 executive director may waive any prerequisite for obtaining a
15 license if the applicant currently holds a similar license issued
16 by another jurisdiction that:

17 (1) has requirements for the license that are
18 substantially equivalent to those of this state; or

19 (2) has a reciprocity agreement with this state for
20 the license.

21 (c) The department, with approval of the governor, may enter
22 into an agreement with another state to allow for licensing by
23 reciprocity.

24 SECTION 2. Section 469.004, Government Code, is amended to

1 read as follows:

2 Sec. 469.004. APPLICABILITY OF OTHER LAW. Section 51.4041
3 [~~51.404~~], Occupations Code, does not apply to this chapter.

4 SECTION 3. Section 754.025, Health and Safety Code, is
5 amended to read as follows:

6 Sec. 754.025. APPLICATION OF CERTAIN LAW. Sections 51.401
7 and 51.4041 [~~51.404~~], Occupations Code, do not apply to this
8 chapter, except those sections do apply to Sections 754.017 and
9 754.0171.

10 SECTION 4. Section 55.004(c), Occupations Code, is amended
11 to read as follows:

12 (c) The executive director of a state agency may issue a
13 license by endorsement in the same manner as the Texas Commission of
14 Licensing and Regulation under Section 51.4041(b) [~~51.404~~] to an
15 applicant described by Subsection (a).

16 SECTION 5. Section 1202.106, Occupations Code, is amended
17 to read as follows:

18 Sec. 1202.106. APPLICABILITY OF OTHER LAW. Sections 51.401
19 and 51.4041 [~~51.404~~] do not apply to this chapter.

20 SECTION 6. Section 51.404, Occupations Code, is repealed.

21 SECTION 7. Section 51.4041, Occupations Code, as added by
22 this Act, applies only to an application for a license submitted to
23 the Texas Department of Licensing and Regulation on or after the
24 effective date of this Act. An application for a license submitted
25 before the effective date of this Act is governed by the law in
26 effect on the date the application was submitted, and the former law
27 is continued in effect for that purpose.

1 SECTION 8. This Act takes effect September 1, 2015.