

AN ACT

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

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

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

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

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

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

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

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

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 Section 51.404, Occupations Code, is repealed.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.

H.B. No. 3742

President of the Senate

Speaker of the House

I certify that H.B. No. 3742 was passed by the House on April 23, 2015, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3742 was passed by the Senate on May 22, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor