

1-1 By: Smith (Senate Sponsor - Eltife) H.B. No. 3742
1-2 (In the Senate - Received from the House April 27, 2015;
1-3 May 4, 2015, read first time and referred to Committee on Business
1-4 and Commerce; May 15, 2015, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8			X	
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the authority of the Texas Department of Licensing and
1-20 Regulation to determine applicant eligibility for a license.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter H, Chapter 51, Occupations Code, is
1-23 amended by adding Section 51.4041 to read as follows:

1-24 Sec. 51.4041. ALTERNATIVE QUALIFICATIONS FOR LICENSE. (a)
1-25 The commission, department, or executive director may adopt
1-26 alternative means of determining or verifying a person's
1-27 eligibility for a license issued by the department, including
1-28 evaluating the person's education, training, experience, and
1-29 military service.

1-30 (b) Notwithstanding any other law, the commission or the
1-31 executive director may waive any prerequisite for obtaining a
1-32 license if the applicant currently holds a similar license issued
1-33 by another jurisdiction that:

1-34 (1) has requirements for the license that are
1-35 substantially equivalent to those of this state; or

1-36 (2) has a reciprocity agreement with this state for
1-37 the license.

1-38 (c) The department, with approval of the governor, may enter
1-39 into an agreement with another state to allow for licensing by
1-40 reciprocity.

1-41 SECTION 2. Section 469.004, Government Code, is amended to
1-42 read as follows:

1-43 Sec. 469.004. APPLICABILITY OF OTHER LAW. Section 51.4041
1-44 [~~51.404~~], Occupations Code, does not apply to this chapter.

1-45 SECTION 3. Section 754.025, Health and Safety Code, is
1-46 amended to read as follows:

1-47 Sec. 754.025. APPLICATION OF CERTAIN LAW. Sections 51.401
1-48 and 51.4041 [~~51.404~~], Occupations Code, do not apply to this
1-49 chapter, except those sections do apply to Sections 754.017 and
1-50 754.0171.

1-51 SECTION 4. Section 55.004(c), Occupations Code, is amended
1-52 to read as follows:

1-53 (c) The executive director of a state agency may issue a
1-54 license by endorsement in the same manner as the Texas Commission of
1-55 Licensing and Regulation under Section 51.4041(b) [~~51.404~~] to an
1-56 applicant described by Subsection (a).

1-57 SECTION 5. Section 1202.106, Occupations Code, is amended
1-58 to read as follows:

1-59 Sec. 1202.106. APPLICABILITY OF OTHER LAW. Sections 51.401
1-60 and 51.4041 [~~51.404~~] do not apply to this chapter.

1-61 SECTION 6. Section 51.404, Occupations Code, is repealed.

2-1 SECTION 7. Section 51.4041, Occupations Code, as added by
2-2 this Act, applies only to an application for a license submitted to
2-3 the Texas Department of Licensing and Regulation on or after the
2-4 effective date of this Act. An application for a license submitted
2-5 before the effective date of this Act is governed by the law in
2-6 effect on the date the application was submitted, and the former law
2-7 is continued in effect for that purpose.

2-8 SECTION 8. This Act takes effect September 1, 2015.

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