

BILL ANALYSIS

C.S.H.B. 3206
By: Stephenson
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties suggest that more clarity is needed regarding the composition of the combative sports advisory board. C.S.H.B. 3206 provides for the board's composition.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3206 amends the Occupations Code to change the manner in which the membership of the combative sports advisory board, if the Texas Commission of Licensing and Regulation elects to appoint such an advisory board, is determined from by commission rule to statutory provision for a nine-member board composed of three physicians, one chiropractor, one representative of a boxing promoter, one representative of a mixed martial arts promoter, one combative sports referee or judge who has been licensed at least three years, one former combative sports contestant, and one member of the public. The bill's provisions regarding the composition of the advisory board expressly does not affect the entitlement of a member serving on the advisory board who is not a physician to continue to serve and function as a member of the advisory board for the remainder of the member's term as established by the commission. The bill requires the commission, if more than three physicians are serving on the advisory board immediately before the bill's effective date, to replace a physician member with a chiropractic member on that date. The bill requires the presiding officer of the commission, with the approval of the other commission members, to appoint members to the advisory board as other vacancies occur on or after the bill's effective date in a manner consistent with the bill's provisions.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3206 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 2052.055, Occupations Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) If the commission elects to appoint an advisory board, the commission shall appoint a nine-member board composed of the following:

- (1) four physicians or chiropractors;
- (2) one representative of a boxing promoter;
- (3) one representative of a mixed martial arts promoter;
- (4) one combative sports referee or judge, licensed at least three years;
- (5) one former combative sports contestant; and
- (6) one member of the public.

(c) If the commission appoints an advisory board, the commission by rule shall establish:

- (1) [the number of board members;
- [~~(2)~~] qualifications for appointment to the board; and
- (2) [~~(3)~~] the purpose and duties of the board.

No equivalent provision.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 2052.055, Occupations Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) If the commission elects to appoint an advisory board, the commission shall appoint a nine-member board composed of the following:

- (1) three physicians;
- (2) one chiropractor;
- (3) one representative of a boxing promoter;
- (4) one representative of a mixed martial arts promoter;
- (5) one combative sports referee or judge, licensed at least three years;
- (6) one former combative sports contestant; and
- (7) one member of the public.

(c) If the commission appoints an advisory board, the commission by rule shall establish:

- (1) [the number of board members;
- [~~(2)~~] qualifications for appointment to the board; and
- (2) [~~(3)~~] the purpose and duties of the board.

SECTION 2. The changes in law made by this Act to Section 2052.055, Occupations Code, regarding the composition of the combative sports advisory board, do not affect the entitlement of a member who is not a physician and who is serving on the advisory board to continue to serve and function as a member of the advisory board for the remainder of the member's term as established by the Texas Commission of Licensing and Regulation. If more than three physicians are serving on the advisory board immediately before the effective date of this Act, the commission must replace a physician member with a chiropractic member on that date. As other vacancies occur on the advisory board on or after the effective date of this Act, the presiding officer of the commission, with the approval of the other commission members, shall appoint members to the advisory board in a manner consistent with the changes in law made by this Act.

SECTION 2. This Act takes effect
September 1, 2017.

SECTION 3. Same as introduced version.