

By: Schaefer

H.B. No. 153

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a municipality to regulate  
3 occupations.

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

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

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

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

11 (A) issued by a licensing authority; and

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

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

18 (b) Notwithstanding any other state law, including Section  
19 51.001, unless expressly authorized by state law, the governing  
20 body of a municipality may not adopt or enforce any ordinance, rule,  
21 or regulation that:

22 (1) establishes additional, more stringent licensing  
23 requirements for an occupation that requires an occupational  
24 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, 2017.