

By: Guillen

H.B. No. 3277

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of an administrative penalty for certain violations of the law regulating plumbing.

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

SECTION 1. Section 1301.704, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Failure to request a hearing or accept the determination and recommended penalty within the time provided by this section waives the right to a hearing under this chapter.

(d) If the board determines without a hearing that the person committed a violation and a penalty is to be imposed, the board shall:

(1) provide written notice to the person of the board's findings; and

(2) enter an order requiring the person to pay the recommended penalty.

SECTION 2. Section 1301.705(a), Occupations Code, is amended to read as follows:

(a) If the person requests a hearing [~~or fails to respond in a timely manner to the notice~~], the enforcement committee shall set a hearing and give written notice of the hearing to the person. An administrative law judge of the State Office of Administrative Hearings shall hold the hearing.

SECTION 3. The change in law made by this Act to Section

1 1301.704, Occupations Code, applies only to imposition of an
2 administrative penalty against a person who receives notice under
3 Section 1301.703(b), Occupations Code, on or after the effective
4 date of this Act. An administrative penalty for which notice under
5 that section is received before the effective date of this Act is
6 governed by the law in effect on the date the notice was received,
7 and the former law is continued in effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2017.