

By: Elkins

H.B. No. 4267

A BILL TO BE ENTITLED

AN ACT

relating to fingerprint requirements for state licensees.

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

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. FINGERPRINT REQUIREMENTS FOR STATE LICENSEES

Sec. 60.01. DEFINITIONS. In this chapter:

(1) "Department" means the Department of Public Safety.

(2) "State license" means a license, permit, registration certificate, or other evidence of authority issued by a state licensing authority for which the applicant for the license is required under state law to submit fingerprints.

(3) "State licensee" means a person or entity that, under state law, in order to practice the person's occupation or conduct the entity's business in this state, is required to obtain a state license.

(4) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission.

Sec. 60.02. FINGERPRINT REQUIREMENTS FOR PERSONS WITH MORE THAN ONE STATE LICENSE. (a) Notwithstanding any other law, after the state licensing authority issues a state license, the state licensing authority shall submit the applicant's fingerprints to

1 the department, and the department shall maintain the applicant's  
2 fingerprints on file.

3 (b) If, after obtaining a state license, a state licensee is  
4 required to obtain a separate state license for another purpose,  
5 and the state licensee's fingerprints were submitted to another  
6 state licensing authority during the same calendar year,  
7 notwithstanding any other law:

8 (1) the state licensee is not required to submit the  
9 state licensee's fingerprints to the other state licensing  
10 authority; and

11 (2) the other state licensing authority is authorized  
12 to obtain the fingerprints of the state licensee that are  
13 maintained on file by the department under Subsection (a).

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2017.