

BILL ANALYSIS

S.B. 1531
By: Hancock
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been reported that Texas leads the nation in the amount of restrictions on individuals with felony convictions who work in licensed occupations. S.B. 1531 seeks to address this issue by implementing certain recommendations made by each licensing authority that has an eligibility requirement relating to an applicant's criminal history.

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

S.B. 1531 amends the Occupations Code to remove a person's conviction of a felony or a crime that involves moral turpitude from the grounds on which the Texas Commission of Licensing and Regulation (TCLR) or the Texas Department of Licensing and Regulation (TDLR) may refuse to admit a person to an examination and to issue a license to practice podiatry.

S.B. 1531 removes a person's conviction of a misdemeanor involving moral turpitude or a felony from the grounds on which TCLR or the executive director of TDLR may discipline a licensed midwife, refuse to renew a midwife's license, or refuse to issue a license to an applicant.

S.B. 1531 revises the manner in which the license of a licensed breeder is revoked by establishing that such a license is revoked by the operation of law if, after the license is issued, the licensed breeder or a controlling person of the licensed breeder pleads guilty or nolo contendere to, is convicted of, or receives deferred adjudication for animal cruelty or neglect in Texas or any other jurisdiction. Before a license is revoked, TDLR must issue a notice of the revocation to the licensed breeder stating that the licensed breeder or the licensed breeder's representative may, not later than the 20th day after the date the licensed breeder receives the notice, submit to TDLR proof that the licensed breeder or controlling person of the licensed breeder, as applicable, did not plead guilty or nolo contendere to, was not convicted of, or did not receive deferred adjudication for animal cruelty or neglect in Texas or any other jurisdiction. The bill specifies that a plea of nolo contendere is grounds for TDLR to deny or refuse to renew a dog or cat breeder license.

S.B. 1531 removes the requirement that an applicant for an electrician license demonstrate the applicant's honesty, trustworthiness, and integrity.

S.B. 1531 removes from the eligibility requirements for an auctioneer's license that an individual has not been convicted of a felony during the five years preceding the date of application.

EFFECTIVE DATE

September 1, 2019.