By:  Goldman H.B. No. 2452

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Department of Licensing and Regulation complaint review process.

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

SECTION 1.  Section 51.252, Occupations Code, is amended by adding Subsections (e), (f), and (g) to read as follows:

(e)  The department may contract with a qualified individual to assist with the complaint review process.

(f)  Except for any action by a qualified individual involving fraud, conspiracy, or malice, a qualified individual with whom the department contracts to provide complaint review services is immune from liability and may not be subject to a suit for damages for any act arising from the performance of their duties in:

(1)  participating in an informal conference to determine the facts of a complaint;

(2)  evaluating evidence in a complaint filed with the department and offering an expert opinion or technical guidance about possible violations;

(3)  testifying at a hearing regarding a complaint; and

(4)  making an evaluation, report, or recommendation regarding a complaint.

(g)  The department may accept, but is not obligated to investigate, a complaint that lacks sufficient information to identify the source or the name of the person who filed the complaint.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.