86R14119 TSR-D

By:  Sanford H.B. No. 3451

A BILL TO BE ENTITLED

AN ACT

relating to the grounds for disciplinary action against the holder of a license issued by the Texas Real Estate Commission.

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

SECTION 1.  Section 1101.652(a), Occupations Code, is amended to read as follows:

(a)  The commission may suspend or revoke a license issued under this chapter or Chapter 1102 or take other disciplinary action authorized by this chapter or Chapter 1102 if the license holder:

(1)  enters a plea of guilty or nolo contendere to or is convicted of an offense under Title 5 or 7, Penal Code, a felony under any other law, or an [~~or a criminal~~] offense involving fraud, and the time for appeal has elapsed or the judgment or conviction has been affirmed on appeal, without regard to an order granting community supervision that suspends the imposition of the sentence;

(2)  procures or attempts to procure a license under this chapter or Chapter 1102 for the license holder by fraud, misrepresentation, or deceit or by making a material misstatement of fact in an application for a license;

(3)  fails to honor, within a reasonable time, a check issued to the commission after the commission has sent by certified mail a request for payment to the license holder's last known business address according to commission records;

(4)  fails to provide, within a reasonable time, information requested by the commission that relates to a formal or informal complaint to the commission that would indicate a violation of this chapter or Chapter 1102;

(5)  fails to surrender to the owner, without just cause, a document or instrument that is requested by the owner and that is in the license holder's possession;

(6)  fails to notify the commission, not later than the 30th day after the date of a final conviction or the entry of a plea of guilty or nolo contendere, that the person has been convicted of or entered a plea of guilty or nolo contendere to a felony or a criminal offense involving fraud; or

(7)  disregards or violates this chapter or Chapter 1102.

SECTION 2.  Section 1101.652(a), Occupations Code, as amended by this Act, applies only to disciplinary action regarding conduct that occurs on or after the effective date of this Act. Conduct that occurs before that date is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.