

By: Goldman

H.B. No. 1894

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the imposition of an administrative penalty and the
3 repeal of the criminal penalty for a violation of the interior
4 designers licensing law.

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

6 SECTION 1. Section 1051.451, Occupations Code, is amended
7 to read as follows:

8 Sec. 1051.451. IMPOSITION OF ADMINISTRATIVE PENALTY. (a)
9 Except as provided by Subsection (b), the [The] board may impose an
10 administrative penalty on a person who engages in conduct for which
11 the person is subject to disciplinary action under this subtitle,
12 regardless of whether the person holds a certificate of
13 registration issued under this subtitle.

14 (b) The board may not impose an administrative penalty under
15 this subtitle on a person for conduct related to the practice of
16 interior design unless the person holds a certificate of
17 registration as an interior designer.

18 SECTION 2. Section 1053.251(a), Occupations Code, is
19 amended to read as follows:

20 (a) On a determination that a ground for disciplinary action
21 exists under Section 1053.252, the board shall:

22 (1) revoke, suspend, or refuse to renew a
23 certification of registration;

24 (2) reprimand a certificate holder; or

1 (3) impose an administrative penalty on a certificate
2 holder [~~person~~] under Subchapter I, Chapter 1051.

3 SECTION 3. Subchapter H, Chapter 1053, Occupations Code, is
4 repealed.

5 SECTION 4. Sections 1051.451 and 1053.251(a), Occupations
6 Code, as amended by this Act, apply only to the imposition of an
7 administrative penalty for a violation that occurs on or after the
8 effective date of this Act. The imposition of an administrative
9 penalty for a violation that occurs before the effective date of
10 this Act is governed by the law in effect on the date the violation
11 occurred, and the former law is continued in effect for that
12 purpose.

13 SECTION 5. The repeal by this Act of Subchapter H, Chapter
14 1053, Occupations Code, does not apply to an offense committed
15 under that subchapter before the effective date of the repeal. An
16 offense committed before the effective date of the repeal is
17 governed by the law as it existed on the date the offense was
18 committed, and the former law is continued in effect for that
19 purpose. For purposes of this section, an offense was committed
20 before the effective date of the repeal if any element of the
21 offense occurred before that date.

22 SECTION 6. This Act takes effect September 1, 2019.