

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

1 complaint.

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