

By: Goldman

H.B. No. 2699

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the permit and license examinations for hearing  
3 instrument fitters and dispensers.

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

5 SECTION 1. Sections 402.104(a) and (d), Occupations Code,  
6 are amended to read as follows:

7 (a) The department shall develop and maintain an  
8 examination that may include a written [~~oral~~] or practical test  
9 [~~tests~~]. The department shall administer or arrange for the  
10 administration and validation of the examination.

11 (d) The practical test [~~examination~~] must be administered  
12 by one or more qualified proctors selected and assigned by the  
13 department.

14 SECTION 2. Section 402.204(a), Occupations Code, is amended  
15 to read as follows:

16 (a) The examination must consist of written and [~~oral, or~~]  
17 practical tests that are objective in method and applied in a  
18 consistent manner.

19 SECTION 3. Section 402.205, Occupations Code, is amended by  
20 amending Subsections (a) and (c) and adding Subsection (d) to read  
21 as follows:

22 (a) The department or the department's authorized  
23 representative shall give each applicant due notice of the date and  
24 place of the examination and the subjects, areas, and skills that

1 will be included in the examination. A change may not be made in  
2 those subjects, areas, and skills after the date of the examination  
3 has been announced and publicized.

4 (c) An [~~On reexamination, an~~] applicant who previously  
5 failed an examination or test may retake the examination or test.

6 (d) An applicant who previously failed a practical test may  
7 be retested [~~examined~~] only on those portions of the practical test  
8 [~~examination~~] that the applicant failed.

9 SECTION 4. Section 402.207(a), Occupations Code, is amended  
10 to read as follows:

11 (a) The department shall issue an apprentice permit to fit  
12 and dispense hearing instruments to a temporary training permit  
13 holder who has:

14 (1) passed the required [~~all parts of the~~] examination  
15 [~~with a score of 70 percent or greater~~];

16 (2) paid the required fees; and

17 (3) met all requirements of this chapter.

18 SECTION 5. Sections 402.209(e) and (f), Occupations Code,  
19 are amended to read as follows:

20 (e) If the department approves an application, [~~on the next~~  
21 ~~regularly scheduled examination date~~] the applicant may take the  
22 practical test [~~section of the examination required under Section~~  
23 ~~402.202~~] and a written test [~~examination~~] of Texas law administered  
24 by the department or the department's authorized representative.

25 [~~If the applicant passes the examinations required under this~~  
26 ~~section, the department shall issue to the applicant a license~~  
27 ~~under this chapter.~~]

1           (f) The department may allow an applicant under this section  
2 who satisfies all application requirements other than the  
3 requirement under Subsection (c)(2) to take ~~[all sections of]~~ the  
4 examination ~~[required under Section 402.202. If the applicant~~  
5 ~~passes the examination, the department shall issue to the applicant~~  
6 ~~a license under this chapter]~~.

7           SECTION 6. The following provisions of the Occupations Code  
8 are repealed:

- 9                   (1) Sections 402.104(b) and (c); and  
10                   (2) Section 402.203(c).

11           SECTION 7. The changes in law made by this Act to Chapter  
12 402, Occupations Code, apply only to a person who applies to take an  
13 examination on or after the effective date of this Act. A person who  
14 first applies to take an examination before the effective date of  
15 this Act is governed by the law in effect on the date the person  
16 applies, and the former law is continued in effect for that purpose.

17           SECTION 8. This Act takes effect September 1, 2019.