

1-1 By: Goldman (Senate Sponsor - Zaffirini) H.B. No. 2699
1-2 (In the Senate - Received from the House April 16, 2019;
1-3 April 17, 2019, read first time and referred to Committee on Health
1-4 & Human Services; May 16, 2019, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 16, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>X</u>			
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the permit and license examinations for hearing
1-20 instrument fitters and dispensers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 402.104(a) and (d), Occupations Code,
1-23 are amended to read as follows:

1-24 (a) The department shall develop and maintain an
1-25 examination that may include a written [~~,oral,~~] or practical test
1-26 [~~tests~~]. The department shall administer or arrange for the
1-27 administration and validation of the examination.

1-28 (d) The practical test [~~examination~~] must be administered
1-29 by one or more qualified proctors selected and assigned by the
1-30 department.

1-31 SECTION 2. Section 402.204(a), Occupations Code, is amended
1-32 to read as follows:

1-33 (a) The examination must consist of written and [~~,oral, or~~]
1-34 practical tests that are objective in method and applied in a
1-35 consistent manner.

1-36 SECTION 3. Section 402.205, Occupations Code, is amended by
1-37 amending Subsections (a) and (c) and adding Subsection (d) to read
1-38 as follows:

1-39 (a) The department or the department's authorized
1-40 representative shall give each applicant due notice of the date and
1-41 place of the examination and the subjects, areas, and skills that
1-42 will be included in the examination. A change may not be made in
1-43 those subjects, areas, and skills after the date of the examination
1-44 has been announced and publicized.

1-45 (c) An [~~On reexamination, an~~] applicant who previously
1-46 failed an examination or test may retake the examination or test.

1-47 (d) An applicant who previously failed a practical test may
1-48 be retested [~~examined~~] only on those portions of the practical test
1-49 [~~examination~~] that the applicant failed.

1-50 SECTION 4. Section 402.207(a), Occupations Code, is amended
1-51 to read as follows:

1-52 (a) The department shall issue an apprentice permit to fit
1-53 and dispense hearing instruments to a temporary training permit
1-54 holder who has:

1-55 (1) passed the required [~~all parts of the~~] examination
1-56 [~~with a score of 70 percent or greater~~];

1-57 (2) paid the required fees; and

1-58 (3) met all requirements of this chapter.

1-59 SECTION 5. Sections 402.209(e) and (f), Occupations Code,
1-60 are amended to read as follows:

1-61 (e) If the department approves an application, [~~on the next~~

2-1 ~~regularly scheduled examination date~~] the applicant may take the
2-2 practical test [~~section of the examination required under Section~~
2-3 ~~402.202~~] and a written test [~~examination~~] of Texas law administered
2-4 by the department or the department's authorized representative.
2-5 [~~If the applicant passes the examinations required under this~~
2-6 ~~section, the department shall issue to the applicant a license~~
2-7 ~~under this chapter.~~]

2-8 (f) The department may allow an applicant under this section
2-9 who satisfies all application requirements other than the
2-10 requirement under Subsection (c)(2) to take [~~all sections of~~] the
2-11 examination [~~required under Section 402.202. If the applicant~~
2-12 ~~passes the examination, the department shall issue to the applicant~~
2-13 ~~a license under this chapter~~].

2-14 SECTION 6. The following provisions of the Occupations Code
2-15 are repealed:

- 2-16 (1) Sections 402.104(b) and (c); and
- 2-17 (2) Section 402.203(c).

2-18 SECTION 7. The changes in law made by this Act to Chapter
2-19 402, Occupations Code, apply only to a person who applies to take an
2-20 examination on or after the effective date of this Act. A person who
2-21 first applies to take an examination before the effective date of
2-22 this Act is governed by the law in effect on the date the person
2-23 applies, and the former law is continued in effect for that purpose.

2-24 SECTION 8. This Act takes effect September 1, 2019.

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