

By: Hancock

S.B. No. 1209

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to regulate certain activities.

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

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. PREEMPTION

Sec. 60.001. PREEMPTION OF LOCAL LICENSING REQUIREMENTS.

(a) In this section:

(1) "Occupational license" means a license, permit, registration certificate, or other authorization that is:

(A) issued by a licensing authority; and

(B) required by an ordinance, rule, regulation, policy, or law for an individual to engage in an occupation.

(2) "Political subdivision" means a county, municipality, special district, or other political subdivision of this state.

(3) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission that issues an occupational license.

(b) Notwithstanding any other law, if an individual is required to possess an occupational license issued by a state licensing authority to engage in an occupation, the governing body

1 of a political subdivision may not adopt or enforce any ordinance,
2 order, rule, regulation, law, or policy that requires the
3 individual to:

4 (1) possess an occupational license issued by the
5 political subdivision to engage in that occupation; or

6 (2) meet any other requirement or precondition to
7 engage in that occupation.

8 (c) An ordinance, order, rule, regulation, law, or policy
9 that violates this section is void and unenforceable.

10 SECTION 2. This Act takes effect September 1, 2019.