

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

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4 repealed.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.

**ADOPTED**

MAY 15 2019

*Leta Spaw*  
Secretary of the Senate

By: Hancock

H.B. No. 1394

Substitute the following for H.B. No. 1394:

By: Hancock Kelly Harmon

C.S. H.B. No. 1394

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the repeal of the criminal penalty for a violation of  
3 the interior designers licensing law.

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

5 SECTION 1. Subchapter H, Chapter 1053, Occupations Code, is  
6 repealed.

7 SECTION 2. The repeal by this Act of Subchapter H, Chapter  
8 1053, Occupations Code, does not apply to an offense committed  
9 under that subchapter before the effective date of the repeal. An  
10 offense committed before the effective date of the repeal is  
11 governed by the law as it existed on the date the offense was  
12 committed, and the former law is continued in effect for that  
13 purpose. For purposes of this section, an offense was committed  
14 before the effective date of the repeal if any element of the  
15 offense occurred before that date.

16 SECTION 3. This Act takes effect September 1, 2019.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 15, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB1894** by Goldman (Relating to the repeal of the criminal penalty for a violation of the interior designers licensing law.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** WP, SD, CLo, SGr, DFR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 9, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB1894** by Goldman (Relating to the repeal of the criminal penalty for a violation of the interior designers licensing law.), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** WP, CLo, SGr, DFR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 29, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB1894** by Goldman (Relating to the imposition of an administrative penalty and the repeal of the criminal penalty for a violation of the interior designers licensing law.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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It is assumed that the provisions of the bill relating to the imposition of an administrative penalty and the repeal of the criminal penalty for a violation of the interior designers licensing law could be absorbed using existing resources. As a self-funding, self-leveling agency, the Board of Architectural Examiners is required to collect revenues sufficient to cover their costs, so that any additional costs incurred in implementing the provisions of the bill would be offset by an equal amount of revenue.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 459 Board of Architectural Examiners

**LBB Staff:** WP, CLo, SGr, DFR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 22, 2019**

**TO:** Honorable Tracy O. King, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB1894** by Goldman (Relating to the imposition of an administrative penalty and the repeal of the criminal penalty for a violation of the interior designers licensing law.), **As Introduced**

**No fiscal implication to the State is anticipated.**

It is assumed that the provisions of the bill relating to the imposition of an administrative penalty and the repeal of the criminal penalty for a violation of the interior designers licensing law could be absorbed using existing resources. As a self-funding, self-leveling agency, the Board of Architectural Examiners is required to collect revenues sufficient to cover their costs, so that any additional costs incurred in implementing the provisions of the bill would be offset by an equal amount of revenue.

The bill would take effect on September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 459 Board of Architectural Examiners

**LBB Staff:** WP, CLo, SGr, DFR