

By: Thompson of Harris, Darby, Hernandez,
Guillen, Kuempel

H.B. No. 2305

Substitute the following for H.B. No. 2305:

By: Hernandez

C.S.H.B. No. 2305

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Texas Real Estate Research Center, the Real Estate
3 Research Advisory Committee, and the Texas Real Estate Commission;
4 increasing a fee.

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

6 SECTION 1. The heading to Subchapter C, Chapter 86,
7 Education Code, is amended to read as follows:

8 SUBCHAPTER C. TEXAS REAL ESTATE RESEARCH CENTER

9 SECTION 2. Section 86.51, Education Code, is amended to
10 read as follows:

11 Sec. 86.51. TEXAS REAL ESTATE RESEARCH CENTER. The Texas
12 Real Estate Research Center [~~There~~] is established at Texas A&M
13 University [~~a Real Estate Research Center, hereinafter referred to~~
14 ~~as the center~~]. The operating budget, staffing, and activities of
15 the center shall be approved by the board of regents of The Texas
16 A&M University System.

17 SECTION 3. Section 86.52, Education Code, is amended by
18 amending Subsections (c), (d), (e), (f), (h), (i), (j), (k), and (l)
19 and adding Subsection (m) to read as follows:

20 (c) Members [~~Except for the initial appointees, members~~] of
21 the advisory committee hold office for staggered terms of six
22 years, with the terms of three members expiring on January 31 of
23 each odd-numbered year. [~~In making the initial appointments, the~~
24 ~~governor shall designate three members, including two~~

1 ~~representatives of the real estate industry and one representative~~
2 ~~of the general public, for terms expiring in 1973, three for terms~~
3 ~~expiring in 1975, and three for terms expiring in 1977.]~~ Any
4 vacancy shall be filled by appointment for the unexpired portion of
5 the term. Each member shall serve until the member's [~~his~~]
6 successor is qualified.

7 (d) The presiding officer [~~chairman~~] of the Texas Real
8 Estate Commission, or a member of the commission designated by the
9 presiding officer [~~him~~], shall serve as an ex officio, nonvoting
10 member of the advisory committee.

11 (e) The advisory committee shall elect a presiding officer
12 and an assistant presiding officer from the committee's [~~its~~]
13 membership, and each officer shall serve for a term of one year.

14 (f) [~~The first meeting of the advisory committee shall be~~
15 ~~called by the president of Texas A & M University or his designated~~
16 ~~representative.]~~ The advisory committee shall meet not less than
17 semiannually, and in addition on call of the committee's presiding
18 officer [~~its chairman~~], or on petition of any six of the committee's
19 [~~its~~] members, or on call of the president of Texas A&M [~~A & M~~]
20 University or the president's [~~his~~] designated representative.

21 (h) The president of Texas A&M [~~A & M~~] University or the
22 president's [~~his~~] designated representative shall submit to the
23 advisory committee in advance of each fiscal year a proposed budget
24 for expenditures of all funds provided for the center in a form that
25 is related to the proposed schedule of activities for the review and
26 approval of the advisory committee. The proposed budget approved
27 by the advisory committee shall be forwarded with the comments of

1 the committee to the board of directors of The Texas A&M [~~A & M~~]
2 University System prior to its action on the proposed budget, and
3 the board of directors of The Texas A&M [~~A & M~~] University System
4 shall not authorize any expenditure that has not had the prior
5 approval of the advisory committee.

6 (i) The president of Texas A&M [~~A & M~~] University or the
7 president's [~~his~~] designated representative shall submit to the
8 advisory committee for its review and approval a research agenda at
9 the beginning of each fiscal year and shall continuously inform the
10 advisory committee of changes in its substance and scheduling.

11 (j) Each member of the advisory committee [~~board~~] is
12 entitled to a per diem as provided in the center's budget [~~set by~~
13 ~~legislative appropriation~~] for each day that the member engages in
14 the business of the committee [~~board~~]. A member may not receive any
15 compensation for travel expenses, including expenses for meals and
16 lodging, other than transportation expenses. A member is entitled
17 to compensation for transportation expenses as provided in
18 [~~prescribed by~~] the center's budget [~~General Appropriations Act~~].

19 (k) Except as provided by Subsection (l), the [~~The~~] advisory
20 committee is subject to Chapter 551, Government Code, Chapter 2001,
21 Government Code, and the provisions of Chapter 572, Government
22 Code.

23 (l) The advisory committee may conduct a meeting by
24 conference call or virtually through a third-party Internet
25 application as long as members of the general public are able to
26 participate in the meeting, and any discussions during the meeting,
27 if the meeting is not permitted to be conducted as a closed meeting

1 under Chapter 551, Government Code.

2 (m) The financial transactions of the center are subject to
3 audit by the state auditor in accordance with Chapter 321,
4 Government Code.

5 SECTION 4. Section 1101.054, Occupations Code, is amended
6 to read as follows:

7 Sec. 1101.054. OFFICIAL OATH. Not later than the 15th
8 calendar day after the date of appointment, each appointee must
9 take the constitutional oath of office.

10 SECTION 5. Section 1101.154(a), Occupations Code, is
11 amended to read as follows:

12 (a) The fee for the issuance or renewal of a:

13 (1) broker license is the amount of the fee set under
14 Section 1101.152 and an additional \$70 fee for each year of the term
15 for which the license is issued or renewed;

16 (2) sales agent license is the amount of the fee set
17 under Section 1101.152 and an additional \$20 fee for each year of
18 the term for which the license is issued or renewed; and

19 (3) certificate of registration is the amount of the
20 fee set under Section 1101.152 and an additional \$20 fee for each
21 year of the term for which the certificate is issued or renewed.

22 SECTION 6. Section 1101.154(a), Occupations Code, as
23 amended by this Act, applies only to the issuance or renewal of a
24 license or certificate of registration under Chapter 1101,
25 Occupations Code, on or after the effective date of this Act.

26 SECTION 7. This Act takes effect September 1, 2021.