

1-1 By: Thompson of Harris, et al. H.B. No. 2305
 1-2 (Senate Sponsor - Creighton)
 1-3 (In the Senate - Received from the House April 12, 2021;
 1-4 April 13, 2021, read first time and referred to Committee on
 1-5 Business & Commerce; May 19, 2021, reported favorably by the
 1-6 following vote: Yeas 8, Nays 0; May 19, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the Texas Real Estate Research Center, the Real Estate
 1-21 Research Advisory Committee, and the Texas Real Estate Commission;
 1-22 increasing a fee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. The heading to Subchapter C, Chapter 86,
 1-25 Education Code, is amended to read as follows:

1-26 SUBCHAPTER C. TEXAS REAL ESTATE RESEARCH CENTER

1-27 SECTION 2. Section 86.51, Education Code, is amended to
 1-28 read as follows:

1-29 Sec. 86.51. TEXAS REAL ESTATE RESEARCH CENTER. The Texas
 1-30 Real Estate Research Center [~~There~~] is established at Texas A&M
 1-31 University [~~a Real Estate Research Center, hereinafter referred to~~
 1-32 ~~as the center~~]. The operating budget, staffing, and activities of
 1-33 the center shall be approved by the board of regents of The Texas
 1-34 A&M University System.

1-35 SECTION 3. Section 86.52, Education Code, is amended by
 1-36 amending Subsections (c), (d), (e), (f), (h), (i), (j), (k), and (l)
 1-37 and adding Subsection (m) to read as follows:

1-38 (c) Members [~~Except for the initial appointees, members~~] of
 1-39 the advisory committee hold office for staggered terms of six
 1-40 years, with the terms of three members expiring on January 31 of
 1-41 each odd-numbered year. [~~In making the initial appointments, the~~
 1-42 ~~governor shall designate three members, including two~~
 1-43 ~~representatives of the real estate industry and one representative~~
 1-44 ~~of the general public, for terms expiring in 1973, three for terms~~
 1-45 ~~expiring in 1975, and three for terms expiring in 1977.] Any
 1-46 vacancy shall be filled by appointment for the unexpired portion of
 1-47 the term. Each member shall serve until the member's [~~his~~]
 1-48 successor is qualified.~~

1-49 (d) The presiding officer [~~chairman~~] of the Texas Real
 1-50 Estate Commission, or a member of the commission designated by the
 1-51 presiding officer [~~him~~], shall serve as an ex officio, nonvoting
 1-52 member of the advisory committee.

1-53 (e) The advisory committee shall elect a presiding officer
 1-54 and an assistant presiding officer from the committee's [~~its~~]
 1-55 membership, and each officer shall serve for a term of one year.

1-56 (f) [~~The first meeting of the advisory committee shall be~~
 1-57 ~~called by the president of Texas A & M University or his designated~~
 1-58 ~~representative.] The advisory committee shall meet not less than
 1-59 semiannually, and in addition on call of the committee's presiding
 1-60 officer [~~its chairman~~], or on petition of any six of the committee's
 1-61 [~~its~~] members, or on call of the president of Texas A&M [~~A & M~~]~~

2-1 University or the president's [his] designated representative.

2-2 (h) The president of Texas A&M [A & M] University or the
 2-3 president's [his] designated representative shall submit to the
 2-4 advisory committee in advance of each fiscal year a proposed budget
 2-5 for expenditures of all funds provided for the center in a form that
 2-6 is related to the proposed schedule of activities for the review and
 2-7 approval of the advisory committee. The proposed budget approved
 2-8 by the advisory committee shall be forwarded with the comments of
 2-9 the committee to the board of directors of The Texas A&M [A & M]
 2-10 University System prior to its action on the proposed budget, and
 2-11 the board of directors of The Texas A&M [A & M] University System
 2-12 shall not authorize any expenditure that has not had the prior
 2-13 approval of the advisory committee.

2-14 (i) The president of Texas A&M [A & M] University or the
 2-15 president's [his] designated representative shall submit to the
 2-16 advisory committee for its review and approval a research agenda at
 2-17 the beginning of each fiscal year and shall continuously inform the
 2-18 advisory committee of changes in its substance and scheduling.

2-19 (j) Each member of the advisory committee [board] is
 2-20 entitled to a per diem as provided in the center's budget [set by
 2-21 legislative appropriation] for each day that the member engages in
 2-22 the business of the committee [board]. A member may not receive any
 2-23 compensation for travel expenses, including expenses for meals and
 2-24 lodging, other than transportation expenses. A member is entitled
 2-25 to compensation for transportation expenses as provided in
 2-26 [prescribed by] the center's budget [General Appropriations Act].

2-27 (k) Except as provided by Subsection (l), the [The] advisory
 2-28 committee is subject to Chapter 551, Government Code, Chapter 2001,
 2-29 Government Code, and the provisions of Chapter 572, Government
 2-30 Code.

2-31 (l) The advisory committee may conduct a meeting by
 2-32 conference call or virtually through a third-party Internet
 2-33 application as long as members of the general public are able to
 2-34 participate in the meeting, and any discussions during the meeting,
 2-35 if the meeting is not permitted to be conducted as a closed meeting
 2-36 under Chapter 551, Government Code.

2-37 (m) The financial transactions of the center are subject to
 2-38 audit by the state auditor in accordance with Chapter 321,
 2-39 Government Code.

2-40 SECTION 4. Section 1101.054, Occupations Code, is amended
 2-41 to read as follows:

2-42 Sec. 1101.054. OFFICIAL OATH. Not later than the 15th
 2-43 calendar day after the date of appointment, each appointee must
 2-44 take the constitutional oath of office.

2-45 SECTION 5. Section 1101.154(a), Occupations Code, is
 2-46 amended to read as follows:

2-47 (a) The fee for the issuance or renewal of a:

2-48 (1) broker license is the amount of the fee set under
 2-49 Section 1101.152 and an additional \$70 fee for each year of the term
 2-50 for which the license is issued or renewed;

2-51 (2) sales agent license is the amount of the fee set
 2-52 under Section 1101.152 and an additional \$20 fee for each year of
 2-53 the term for which the license is issued or renewed; and

2-54 (3) certificate of registration is the amount of the
 2-55 fee set under Section 1101.152 and an additional \$20 fee for each
 2-56 year of the term for which the certificate is issued or renewed.

2-57 SECTION 6. Section 1101.154(a), Occupations Code, as
 2-58 amended by this Act, applies only to the issuance or renewal of a
 2-59 license or certificate of registration under Chapter 1101,
 2-60 Occupations Code, on or after the effective date of this Act.

2-61 SECTION 7. This Act takes effect September 1, 2021.

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