

By: Turner of Dallas

H.B. No. 3123

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regulation of crafted precious metal dealers;
3 authorizing the change of a fee.

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

5 SECTION 1. Section 1956.0612(c), Occupations Code, is
6 amended to read as follows:

7 (c) The commissioner shall prescribe the processing fee in
8 an amount necessary to cover the costs of administering this
9 subchapter [~~section~~].

10 SECTION 2. Section 1956.0613, Occupations Code, is amended
11 to read as follows:

12 Sec. 1956.0613. INVESTIGATION BY COMMISSIONER. (a) The
13 commissioner shall:

14 (1) monitor the operations of a dealer to ensure
15 compliance with this subchapter [~~chapter~~]; and

16 (2) receive and investigate complaints against a
17 dealer or a person acting as a dealer.

18 (b) At the times the commissioner considers necessary, the
19 commissioner or the commissioner's representative may:

20 (1) examine each place of business of each dealer; and

21 (2) investigate the dealer's transactions and records,
22 including books, accounts, papers, and correspondence, to the
23 extent the transactions and records pertain to the business
24 regulated under this subchapter.

1 (c) A dealer shall:

2 (1) give the commissioner or the commissioner's
3 representative free access to the dealer's office, place of
4 business, files, safes, and vaults; and

5 (2) allow the commissioner or the representative to
6 make a copy of an item that may be investigated under Subsection
7 (b)(2).

8 (d) The commissioner or the commissioner's representative
9 shall examine under Subsection (b) at least 10 dealers each
10 calendar year.

11 SECTION 3. Subchapter B, Chapter 1956, Occupations Code, is
12 amended by adding Section 1956.0616 to read as follows:

13 Sec. 1956.0616. NOTICE OF ENFORCEMENT ORDER. (a) As soon
14 as practicable after an enforcement order against a dealer for a
15 violation of this subchapter becomes final, including an order
16 assessing an administrative penalty or an order to pay restitution
17 under Section 14.251(b)(3), Finance Code, the commissioner shall
18 provide notice of the order to:

19 (1) the chief of police of the municipality in which
20 the violation occurred; or

21 (2) the sheriff of the county in which the violation
22 occurred, if the violation did not occur in a municipality.

23 (b) The notice must include:

24 (1) a copy of the enforcement order;
25 (2) the information on complaint procedures described
26 by Section 14.062(b), Finance Code; and

27 (3) any other information the commissioner considers

1 necessary or proper to the enforcement of this subchapter.

2 SECTION 4. (a) Except as provided by Subsection (b) of this
3 section, this Act takes effect September 1, 2021.

4 (b) Section [1956.0613](#), Occupations Code, as amended by this
5 Act, takes effect January 1, 2022.