

BILL ANALYSIS

C.S.H.B. 2453
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, there is no mention of the issuance of an occupational license in a digital format. Therefore, licensing authorities seeking to issue their license in a digital format are unable to do so, which reduces the efficiency of license recipients. C.S.H.B. 2453 seeks to give licensing authorities and individuals greater flexibility in the licensing process by providing for the issuance of digital licenses.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2453 amends the Occupations Code to authorize a state agency, county, or municipality that is authorized to issue an occupational license, certificate, registration, permit, or other form of authorization required by statute, ordinance, order, or rule that must be obtained by an individual to engage in a particular business, occupation, or profession to issue a digital license to a license holder. The bill requires a digital license to comply with the following requirements:

- the digital license must be in a secure format and readily accessible by the license holder through a website and on a wireless communication device;
- the public must be able to view a license holder's digital license through a website or by using a QR code; and
- if the authority contracts with a vendor for the issuance of a digital license, the digital license must be in a format in which the vendor and authority can verify the license's validity.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2453 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a definition for "licensing authority" that was absent from the introduced clarifying that the bill's authorization to issue a digital license applies to a state agency, county, or municipality that is authorized to issue an occupational license and accordingly includes a definition for "occupational license" that was absent from the introduced.

Whereas the introduced required rules to provide for certain requirements of a digital license, the substitute requires the digital license instead to comply with those requirements and does not include a reference to rules. Additionally with regard to those requirements, the introduced provided for the issuance of a digital license under a contract between the Texas Department of Licensing and Regulation (TDLR) and a vendor in a format in which the vendor and TDLR can verify the license's validity, the substitute provides instead for the issuance of such a license under a contract between the licensing authority and a vendor in a format in which the vendor and the authority can verify that validity.