

By: Stucky

H.B. No. 2440

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to regulate certain health professions.

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

SECTION 1. Subtitle A, Title 3, Occupations Code, is amended by adding Chapter 117 to read as follows:

CHAPTER 117. PREEMPTION

Sec. 117.001. PREEMPTION OF HEALTH PROFESSION REGULATIONS BY MUNICIPALITIES. (a) In this section:

(1) "Occupational license" means a license, permit, registration, certificate, or other authorization that a person must obtain to engage in an occupation.

(2) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission that issues an occupational license.

(b) Unless expressly authorized by law, if a person is required to possess an occupational license issued by a state licensing authority under this title to engage in an occupation, a municipality may not adopt or enforce any ordinance, rule, or regulation that regulates the practice of that occupation.

SECTION 2. This Act takes effect September 1, 2023.