

By: Hall

S.B. No. 1200

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a license by the Texas Department of Licensing and Regulation to certain out-of-state applicants; authorizing a fee.

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

SECTION 1. Subchapter H, Chapter 51, Occupations Code, is amended by adding Section 51.4043 to read as follows:

Sec. 51.4043. ISSUANCE OF LICENSE TO CERTAIN OUT-OF-STATE APPLICANTS. (a) The department shall issue a license to an applicant who pays any required fees and:

(1) holds a current license in good standing in another state with a similar scope of practice, as determined by the commission;

(2) has held the license for at least one year;

(3) was required to pass an examination or meet other experience, education, or training requirements to obtain the license;

(4) does not have a disqualifying criminal history as determined by the commission;

(5) has not been subject to the revocation or surrender of the license in any state due to negligence or intentional misconduct in the performance of work under the license; and

(6) is not currently the subject of a complaint or

1 investigation in the other state for an act that constitutes
2 unprofessional conduct or an offense.

3 (b) With respect to an application for a license under a
4 program regulated by the department submitted by an applicant from
5 another state that does not require a license to engage in the
6 activity for which the license is sought in this state, the
7 department shall consider the work experience of the applicant as
8 sufficient for the issuance of the license if the applicant:

9 (1) has engaged in the activity for at least three
10 years; and

11 (2) satisfies the requirements of Subsections (a)(4)
12 and (6).

13 (c) An applicant for a license under this section may be
14 required to pass a jurisprudence examination specific to the
15 relevant laws of this state applicable to the activities for which
16 the license is sought if a similar examination is required to obtain
17 the license for all other applicants.

18 (d) The department shall provide an applicant under this
19 section with a written decision regarding the application not later
20 than the 30th day after the date the application is submitted.

21 (e) The commission may impose a fee not to exceed \$100 for an
22 application under this section.

23 (f) The commission shall adopt rules to implement this
24 section.

25 SECTION 2. (a) The Texas Commission of Licensing and
26 Regulation shall adopt rules required by Section 51.4043,
27 Occupations Code, as added by this Act, not later than January 1,

1 2024.

2 (b) Section 51.4043, Occupations Code, as added by this Act,
3 applies only to an application for a license submitted to the Texas
4 Department of Licensing and Regulation on or after February 1,
5 2024.

6 SECTION 3. This Act takes effect September 1, 2023.