

BILL ANALYSIS

Senate Research Center
89R10113 DNC-F

H.B. 4765
By: Phelan (Zaffirini)
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A code enforcement officer is a professional responsible for inspecting and enforcing health, safety, and nuisance codes in municipalities and other jurisdictions. Chapter 1952, Occupations Code, states that a "person" may be registered as a code enforcement officer, but the term is ambiguous and could be misinterpreted to include corporations. The law also lacks a definition for a "code enforcement officer in training" and contains outdated language. What's more, it restricts reciprocity by requiring out-of-state licensure standards to be strictly equivalent rather than substantially equivalent to Texas', creating confusion in registration and unnecessarily limiting qualified out-of-state applicants.

H.B. 4765 would clarify that only natural persons may be registered, define "code enforcement officer in training," and update reciprocity to allow registration if an applicant's licensure standards are substantially equivalent.

By streamlining registration, H.B. 4765 removes barriers, ensures clarity, and expands access for qualified professionals.

H.B. 4765 amends current law relating to the regulation of code enforcement officers and code enforcement officers in training.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1952.001, Occupations Code, by amending Subdivisions (2) and (2-a) to redefine "code enforcement officer" and adding Subdivision (2-b) to define "code enforcement officer in training."

SECTION 2. Amends Section 1952.002, Occupations Code, as follows:

Sec. 1952.002. EXEMPTION FROM REGISTRATION. Provides that an individual, rather than a person, is not required to be registered under Chapter 1952 (Code Enforcement Officers) if the individual meets certain criteria. Makes a conforming change.

SECTION 3. Amends Section 1952.003, Occupations Code, as follows:

Sec. 1952.003. New heading: EMPLOYMENT OF REGISTERED INDIVIDUAL NOT REQUIRED. Authorizes this state or a political subdivision of this state to engage in code enforcement without employing an individual registered under this chapter, if the individual who is engaging in code enforcement for the state or political subdivision is exempt from registration under Section 1952.002. Makes a conforming change.

SECTION 4. Amends Section 1952.101, Occupations Code, as follows:

Sec. 1952.101. REGISTRATION REQUIRED. Prohibits an individual, except as permitted by Section 1952.002, from claiming to be a code enforcement officer or use the title "code enforcement officer" unless the individual holds a valid certificate of registration under this chapter. Makes conforming changes.

SECTION 5. Amends Section 1952.102, Occupations Code, as follows:

Sec. 1952.102. ELIGIBILITY TO REGISTER AS CODE ENFORCEMENT OFFICER. Requires an individual, to be eligible to receive a certificate of registration as a code enforcement officer, to perform certain actions, including paying the application fee, rather than the application, examination, and registration fees. Makes a conforming change.

SECTION 6. Amends Section 1952.103(c), Occupations Code, to authorize a code enforcement officer in training to engage in code enforcement under the supervision of a code enforcement officer registered under this chapter, rather than a registered code enforcement officer.

SECTION 7. Amends Section 1952.104, Occupations Code, as follows:

Sec. 1952.104. RECIPROCAL REGISTRATION. Requires the Texas Department of Licensing and Regulation, on proper application, to issue a certificate of registration to a license holder or registrant of another state that has requirements for the licensing or registration of a code enforcement officer that are at least substantially equivalent to those of this state.

SECTION 8. Amends 1952.105(a), Occupations Code, as follows:

(a) Provides that a certificate of registration issued under this chapter expires on the second anniversary of the date of issuance and is authorized to be renewed biennially on proper application, payment of the required renewal fee, and completion of the continuing education requirements prescribed by Texas Commission of Licensing and Regulation rule. Makes a nonsubstantive change.

SECTION 9. Amends Section 1952(a), Occupations Code, to make conforming changes.

SECTION 10. Effective date: September 1, 2025.