

BILL ANALYSIS

H.B. 4769
By: Phelan
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the current process for sending and receiving correspondence and documents through the Texas Department of Licensing and Regulation (TDLR) relies on traditional methods, such as certified mail, which can be inefficient and time-consuming. H.B. 4769 seeks to modernize this process, address the issue of outdated communication practices within TDLR, and make the delivery of necessary communications faster and more secure by allowing TDLR by rule to provide for the electronic delivery of applicable correspondence and documents.

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 rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 of this bill.

ANALYSIS

H.B. 4769 amends the Occupations Code to authorize the Texas Commission of Licensing and Regulation (TCLR) by rule to provide that any correspondence sent or received by the Texas Department of Licensing and Regulation (TDLR) be delivered electronically, including any notice, order, or pleading required under the Administrative Procedure Act, statutory provisions governing TDLR, or a law establishing a regulatory program administered by TDLR. The bill revises an existing authorization for TCLR by rule to require an applicant, license holder, or other person who regularly receives correspondence from TDLR to provide an email address to TDLR by removing the specification that the email address is provided for purposes of receiving correspondence and accordingly limiting the authorization to an applicant or license holder.

H.B. 4769 repeals Sections 51.310(c) and 51.354(c), Occupations Code, which require the executive director of TDLR by rule to prescribe notice procedures for administrative penalty proceedings and contested cases, respectively, that provide for notice by certified mail with electronic return receipt.

EFFECTIVE DATE

September 1, 2025.