

BILL ANALYSIS

S.B. 2075
By: Zaffirini
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that the Texas Department of Licensing and Regulation (TDLR) oversees dozens of advisory boards, but inconsistencies in statutory language have created inefficiencies in their governance. Specifically, term lengths for board members and presiding officers vary in current law, and references to these advisory bodies in law are inconsistent and outdated. The bill sponsor has further informed the committee that this lack of uniformity across statutes leads to administrative inconsistencies and that, to address these issues, TDLR has recommended standardizing advisory board governance. Accordingly, S.B. 2075 seeks to enhance operational efficiency, reduce administrative inconsistencies, and provide clarity in TDLR's oversight by standardizing advisory board governance across all of TDLR's regulated boards with respect to references to such boards and the member terms while maintaining boards' composition as provided by current law.

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

S.B. 2075 amends the Agriculture Code, Education Code, Government Code, Health and Safety Code, Occupations Code, and Transportation Code to provide for the creation of advisory boards regarding programs subject to regulation by the Texas Department of Licensing and Regulation (TDLR) and to revise provisions relating to the establishment, powers and duties, terms, and governance of existing advisory bodies for certain TDLR-administered programs.

Advisory Board Creation and Governance

S.B. 2075 authorizes the Texas Commission on Licensing and Regulation (TCLR) to establish an advisory board to advise TCLR or TDLR regarding a program subject to regulation by TDLR. The bill provides for the following unless otherwise provided by a law establishing a regulatory program administered by TDLR:

- an authorization for TCLR to establish:
 - the number of advisory board members, provided that the number of members must be an odd number of three or more;
 - the qualifications for an advisory board member; and
 - the terms of advisory board members;

- a requirement that members of an advisory board be appointed by the presiding officer of TCLR with TCLR's approval; and
- a requirement that the presiding officer of TCLR, on approval of TCLR, designate a member of the advisory board to serve as the presiding officer of the advisory board for a two-year term.

The bill authorizes the presiding officer of the advisory board to vote on any matter before the advisory board.

Revisions to Provisions Governing Existing Advisory Bodies

S.B. 2075 standardizes references to the advisory bodies for TDLR, TCLR, and programs administered by TDLR, as applicable, relating to the following by replacing references to an "advisory committee" or "advisory council," as applicable, with references to "advisory board":

- weather modification and control;
- driver and traffic safety education;
- architectural barriers;
- licensed dyslexia practitioners and licensed dyslexia therapists;
- dog and cat breeders;
- Texas tax professionals;
- property tax consultants;
- Texas water well drillers;
- code enforcement officers; and
- sanitarians.

Additionally, the bill redefines "advisory board" for purposes of statutory provisions governing TDLR by removing a committee, council, or other entity as types of qualifying entities that may be considered an advisory board and clarifying that the term means an entity with multiple members that has as its primary function advising TCLR or TDLR. Further, the bill revises provisions governing certain advisory boards in the manner described below.

Advisory Board Regarding Driver and Traffic Safety Education

S.B. 2075 revises provisions relating to the advisory board regarding driver and traffic safety education by doing the following:

- establishing that the duration of the presiding officer's term is two years; and
- removing the prohibition against a member serving two consecutive terms.

Advisory Board for the Architectural Barriers Program

S.B. 2075 revises provisions relating to the advisory board for the architectural barriers program by doing the following:

- removing the provision establishing that a member serves at the will of the presiding officer of TCLR;
- establishing that advisory board members serve staggered six-year terms; and
- removing the requirement that the advisory board periodically review the rules relating to the architectural barriers program and recommend changes in the rules to TCLR.

Elevator Advisory Board

S.B. 2075 revises provisions relating to the Elevator Advisory Board by removing the provision establishing that board members serve at the will of TCLR and instead establishing that an advisory board member may be removed from the advisory board as provided by applicable state law generally governing advisory boards for TDLR-regulated programs and the removal of members from such an advisory board.

Midwives Advisory Board

S.B. 2075 revises provisions relating to the Midwives Advisory Board by removing the provision establishing that the terms of three advisory board members expire January 31 of each odd numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Speech-Language Pathologists and Audiologists Advisory Board

S.B. 2075 revises provisions relating to the Speech-Language Pathologists and Audiologists Advisory Board by removing the provision establishing that the terms of three advisory board members expire September 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Hearing Instrument Fitters and Dispensers Advisory Board

S.B. 2075 revises provisions relating to the Hearing Instrument Fitters and Dispensers Advisory Board by removing the provision establishing that the terms of three advisory board members expire on February 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Advisory Board of Athletic Trainers

S.B. 2075 revises provisions relating to the Advisory Board of Athletic Trainers by removing the provision establishing that the terms of one or two members expire on January 31 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Massage Therapy Advisory Board

S.B. 2075 revises provisions relating to the Massage Therapy Advisory Board by removing the provision establishing that the terms of three advisory board members expire September 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Behavior Analyst Advisory Board

S.B. 2075 revises provisions relating to the Behavior Analyst Advisory Board by removing the provision establishing that the terms of three advisory board members expire February 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years. The bill repeals a provision prohibiting an advisory board member from serving more than two consecutive six-year terms.

Orthotists and Prosthetists Advisory Board

S.B. 2075 revises provisions relating to the Orthotists and Prosthetists Advisory Board by removing the provision establishing that the terms of three advisory board members expire February 1 of each odd numbered year and by extending the term of the advisory board's presiding officer from one year to two years. The bill repeals provisions relating to the advisory board's meetings.

Dietitians Advisory Board

S.B. 2075 revises provisions relating to the Dietitians Advisory Board by removing the provision establishing that the terms of three advisory board members expire September 1 of

each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Advisory Board Regarding Dog and Cat Breeders

S.B. 2075 revises the provisions relating to the advisory board regarding dog and cat breeders by doing the following:

- extending the terms of advisory board members from four years to six years; and
- removing the provision establishing that the terms of four or five members expire on February 1 of each odd-numbered year.

Texas Tax Professional Advisory Board

S.B. 2075 revises provisions relating to the Texas Tax Professional Advisory Board by doing the following:

- specifying that the duration of the presiding officer's term is two years;
- removing the provision establishing that the terms of one or two advisory board members expire on March 1 of each odd-numbered year; and
- specifying that advisory board members' six-year terms are staggered.

Property Tax Consultants Advisory Board

S.B. 2075 revises provisions relating to the Property Tax Consultants Advisory Board by doing the following:

- extending the terms of advisory board members from three years to six years; and
- removing the provision establishing that the terms of two members expire on February 1 of each odd-numbered year.

Air Conditioning and Refrigeration Contractors Advisory Board

S.B. 2075 removes provisions relating to the Air Conditioning and Refrigeration Contractors Advisory Board establishing the following:

- the advisory board includes two ex officio nonvoting members; and
- the terms of two appointed members of the advisory board expire on February 1 of each odd-numbered year.

The bill also repeals provisions governing the advisory board that do the following:

- establish that the executive director of TDLR and the chief administrator of the Air Conditioning and Refrigeration Contractor License Law serve as ex officio, nonvoting members of the advisory board; and
- require the advisory board to meet in Texas at a place designated by the advisory board.

Electrical Safety and Licensing Advisory Board

S.B. 2075 revises provisions relating to the Electrical Safety and Licensing Advisory Board by doing the following:

- specifying that advisory board members' six year terms are staggered;
- extending the term of the advisory board's presiding officer from one year to two years; and
- removing the provision establishing that the terms of three advisory board members expire January 31 of each odd-numbered year.

The bill repeals a provision prohibiting an advisory board member from consecutively serving more than two full terms.

Barbering and Cosmetology Advisory Board

S.B. 2075 removes the provision establishing that the terms of three members of the Barbering and Cosmetology Advisory Board expire January 31 of each odd-numbered year.

Auctioneer Advisory Board

S.B. 2075 revises the composition of the Auctioneer Advisory Board by replacing the member who is the administrative head, or the administrative head's designee, of any state agency or office that is selected by TCLR with one member who represents an auction school. The bill further revises provisions relating to the advisory board by doing the following:

- removing the provision establishing that the advisory board members' terms expire on September 1 of each odd-numbered year;
- specifying that advisory board members' six-year terms are staggered; and
- removing the prohibitions against advisory board members and the advisory board's presiding officer serving more than two consecutive terms.

The bill clarifies that the presiding officer's term is two years.

Texas Water Well Drillers Advisory Board

S.B. 2075 revises provisions relating to the Texas Water Well Drillers Advisory Board by doing the following:

- removing the provision establishing that the board members' six-year terms expire September 15; and
- specifying that advisory board members' terms are staggered.

The bill repeals provisions establishing the grounds for removing a member from the advisory board.

Mold Assessment and Remediation Advisory Board

S.B. 2075 removes the provision establishing that the terms of three or four members of the Mold Assessment and Remediation Advisory Board expire February 1 of each odd-numbered year. The bill extends the term of the advisory board's presiding officer from one year to two years.

Towing, Storage, and Booting Advisory Board

S.B. 2075 revises provisions relating to the Towing, Storage, and Booting Advisory Board by doing the following:

- removing the provision establishing that the terms of two or three advisory board members expire on February 1 of each odd-numbered year;
- specifying that advisory board members' terms are staggered; and
- extending the term of the advisory board's presiding officer from one year to two years.

The bill repeals the provision prohibiting an advisory board member from consecutively serving more than two full terms.

Used Automotive Parts Recycling Advisory Board

S.B. 2075 revises provisions relating to the Used Automotive Parts Recycling Advisory Board by doing the following:

- removing the provision establishing that the terms of one or two advisory board members expire on February 1 of each odd-numbered year;
- specifying that advisory board member' terms are staggered; and
- extending the term of the advisory board's presiding officer from one year to two years.

The bill repeals the provision prohibiting an advisory board member from consecutively serving more than two full terms.

Motor Fuel Metering and Quality Advisory Board

S.B. 2075 revises provisions relating to the Motor Fuel Metering and Quality Advisory Board by removing the provision establishing that the terms of three or four advisory board members expire on February 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Motorcycle Safety Advisory Board

S.B. 2075 revises provisions relating to the Motorcycle Safety Advisory Board by removing the provision establishing that the terms of three advisory board members expire September 1 of each odd-numbered year and by extending the term of the advisory board's presiding officer from one year to two years.

Repealed Provisions

S.B. 2075 repeals the following provisions of the Occupations Code:

- Section 506.103(b);
- Sections 605.059, 1302.203, and 1302.208;
- Section 1305.052(b);
- Section 1901.106; and
- Sections 2308.052(b) and 2309.052(b).

EFFECTIVE DATE

September 1, 2025.