

By: Bumgarner

H.B. No. 3146

A BILL TO BE ENTITLED

AN ACT

relating to certain hearings conducted by the State Office of Administrative Hearings.

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

SECTION 1. The heading to Section 12.032, Agriculture Code, is amended to read as follows:

Sec. 12.032. HEARINGS CONDUCTED BY [~~COOPERATION WITH~~] STATE OFFICE OF ADMINISTRATIVE HEARINGS.

SECTION 2. The heading to Section 40.066, Human Resources Code, is amended to read as follows:

Sec. 40.066. HEARINGS CONDUCTED BY [~~COOPERATION WITH~~] STATE OFFICE OF ADMINISTRATIVE HEARINGS.

SECTION 3. Section 40.066(c), Human Resources Code, is amended to read as follows:

(c) If the State Office of Administrative Hearings conducts a contested case hearing for the department under Chapter 2001, Government Code, the [~~The~~] administrative law judge who conducts the [~~a contested case~~] hearing [~~for the State Office of Administrative Hearings on behalf of the department~~] shall enter the final decision in the case after completion of the hearing.

SECTION 4. The heading to Section 402.073, Labor Code, is amended to read as follows:

Sec. 402.073. HEARINGS CONDUCTED BY [~~COOPERATION WITH~~] STATE OFFICE OF ADMINISTRATIVE HEARINGS.

1 SECTION 5. Section 402.073(c), Labor Code, is amended to
2 read as follows:

3 (c) In a case in which a hearing is conducted in conjunction
4 with Section [~~402.072~~] 407.046, 408.023, or 415.034, and in other
5 cases under this subtitle that are not subject to Subsection (b),
6 the administrative law judge who conducts the hearing for the State
7 Office of Administrative Hearings shall propose a decision to the
8 commissioner for final consideration and decision by the
9 commissioner.

10 SECTION 6. Section 524.032(b), Transportation Code, is
11 amended to read as follows:

12 (b) A hearing shall be rescheduled if, before the fifth day
13 before the date scheduled for the hearing, a request for a
14 continuance from the person who requested the hearing is received
15 by the State Office of Administrative Hearings [~~in accordance with~~
16 ~~the memorandum of understanding adopted under Section 524.033(c)~~].
17 Unless both parties agree otherwise, the hearing shall be
18 rescheduled for a date not earlier than the fifth day after the date
19 the request for continuance is received.

20 SECTION 7. The following provisions are repealed:

- 21 (1) Sections 12.032(a) and (e), Agriculture Code;
- 22 (2) Section 22.018, Human Resources Code;
- 23 (3) Sections 40.066(a), (b), and (d), Human Resources
24 Code;
- 25 (4) Section 40.004, Insurance Code;
- 26 (5) Section 402.073(a), Labor Code; and
- 27 (6) Sections 524.033(c) and (d), Transportation Code.

1 SECTION 8. This Act takes effect September 1, 2025.