

By: Curry, Dean, Bell of Kaufman, Button,
Longoria, et al.

H.B. No. 3344

Substitute the following for H.B. No. 3344:

By: Button

C.S.H.B. No. 3344

A BILL TO BE ENTITLED

AN ACT

relating to the regulation and licensing of reroofing contractors
by the Texas Department of Licensing and Regulation; providing
administrative and civil penalties; authorizing fees.

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

SECTION 1. Title 8, Occupations Code, is amended by adding
Chapter 1306 to read as follows:

CHAPTER 1306. REROOFING CONTRACTORS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1306.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Commission of
Licensing and Regulation.

(2) "Department" means the Texas Department of
Licensing and Regulation.

(3) "Executive director" means the executive director
of the department.

(4) "Licensed reroofing contractor" means a reroofing
contractor who holds a license issued under this chapter.

(5) "Person" means an individual or business entity.

(6) "Reroofing contractor" means a person who:

(A) engages in repairing, recovering, or
replacing existing roof coverings on residential or commercial
structures; or

(B) solicits, advertises, or contracts to

repair, recover, or replace existing roof coverings on residential or commercial structures.

(7) "Reroofing project" means a project to repair, recover, or replace an existing roof covering on a residential or commercial structure.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 1306.051. GENERAL POWERS AND DUTIES. The department shall administer and enforce this chapter.

Sec. 1306.052. RULES. The commission by rule shall prescribe the requirements for the issuance and renewal of a license under this chapter.

Sec. 1306.053. FEES. The commission shall establish by rule and collect reasonable and necessary fees in amounts not to exceed the total amount sufficient to cover the state's costs of administering this chapter.

SUBCHAPTER C. REROOFING CONTRACTOR ADVISORY BOARD

Sec. 1306.101. DEFINITION. In this subchapter, "advisory board" means the reroofing contractor advisory board.

Sec. 1306.102. REROOFING CONTRACTOR ADVISORY BOARD. (a) The reroofing contractor advisory board shall advise the commission on educational matters, operational matters, and common practices in the reroofing industry.

(b) Section 2110.003, Government Code, does not apply to the advisory board.

Sec. 1306.103. ADVISORY BOARD MEMBERSHIP. (a) The advisory board is composed of seven members as follows:

(1) six members appointed by the presiding officer of

1 the commission with the commission's approval as follows:

2 (A) four members who are licensed reroofing
3 contractors; and

4 (B) two public members; and

5 (2) one member who is the administrative head, or the
6 administrative head's designee, of a state agency or office that is
7 selected by the commission.

8 (b) The advisory board members must include two members who
9 are affiliated with a statewide association of reroofing
10 contractors.

11 (c) In appointing advisory board members under Subsection
12 (a)(1)(A), the presiding officer of the commission shall consider
13 the geographical diversity of the members.

14 (d) Appointments to the advisory board shall be made without
15 regard to the race, color, disability, sex, religion, age, or
16 national origin of the appointee.

17 Sec. 1306.104. ELIGIBILITY OF PUBLIC MEMBERS. A person is
18 not eligible for appointment as a public member of the advisory
19 board if the person or the person's spouse:

20 (1) is licensed by an occupational regulatory agency
21 in the reroofing or construction industry;

22 (2) is employed by or participates in the management
23 of an agency or business entity related to the reroofing or
24 construction industry; or

25 (3) has, other than as a consumer, a financial
26 interest in a business entity related to the reroofing or
27 construction industry.

1 Sec. 1306.105. TERMS; VACANCIES. (a) Except as provided by
2 Subsection (b), advisory board members:

3 (1) serve terms of two years, with the terms expiring
4 on February 1 of each odd-numbered year; and

5 (2) may not consecutively serve more than two full
6 terms.

7 (b) The advisory board member appointed to the position
8 described by Section 1306.103(a)(2) is an ex officio member and
9 shall continue to serve during the time the member holds office.

10 (c) If a vacancy occurs during a term of a member other than
11 the member described by Section 1306.103(a)(2), the presiding
12 officer of the commission shall appoint a replacement who meets the
13 qualifications of the vacated position to serve for the remainder
14 of the term.

15 Sec. 1306.106. PRESIDING OFFICER. (a) The governor shall
16 designate a member of the advisory board as the presiding officer of
17 the board to serve in that capacity at the pleasure of the governor.

18 (b) The presiding officer of the advisory board must be a
19 licensed reroofing contractor.

20 SUBCHAPTER D. REROOFING CONTRACTOR LICENSE

21 Sec. 1306.151. REROOFING CONTRACTOR LICENSE; USE OF TITLE.
22 A reroofing contractor may not advertise that the company is
23 licensed by this state or use the title "licensed reroofing
24 contractor" unless the contractor holds a license issued under this
25 chapter.

26 Sec. 1306.152. APPLICATION. (a) An applicant for a
27 reroofing contractor license must submit an application to the

1 department on a form prescribed by the executive director.

2 (b) A person may obtain a license for more than one business
3 entity by applying separately for each entity as required by this
4 chapter.

5 (c) The application must be accompanied by:

6 (1) if the applicant is a sole proprietorship that
7 operates under a name other than the sole proprietor's legal name,
8 proof of an assumed name certificate issued by the secretary of
9 state reflecting the business name;

10 (2) if the applicant is a business entity, proof of the
11 applicant's existence and confirmation of authority to conduct
12 business in this state under a certificate of status issued by the
13 secretary of state that is in good standing;

14 (3) proof of the mailing address and telephone number
15 of the applicant's residence or business location;

16 (4) proof that the applicant satisfies the general
17 liability insurance coverage and surety bond requirements
18 established by commission rule; and

19 (5) the application fee established by commission
20 rule.

21 (d) The department shall conduct an examination of any
22 criminal conviction of an applicant, including obtaining any
23 criminal history record information permitted by law.

24 Sec. 1306.153. ISSUANCE OF LICENSE; LICENSE NUMBER. (a)
25 Not later than the 10th day after the date the department receives
26 the application, the department shall issue a license to an
27 applicant who complies with the license requirements of this

1 chapter.

2 (b) A license initially issued under this chapter must
3 include a unique license number. Any renewal of the license must
4 include the number included in the initial issuance of the license.

5 (c) A license issued under this chapter is not assignable or
6 transferable.

7 Sec. 1306.154. LICENSE TERM. A license issued under this
8 chapter is valid for two years from the date of issuance and may be
9 renewed before expiration in the manner provided by Section
10 1306.155.

11 Sec. 1306.155. RENEWAL OF LICENSE. (a) To renew a license,
12 a reroofing contractor must submit an application for renewal to
13 the department on a form prescribed by the executive director.

14 (b) The application must be accompanied by:

15 (1) documentation of any changes in the reroofing
16 contractor's information submitted to the department under Section
17 1306.152(c); and

18 (2) the renewal fee established by commission rule.

19 Sec. 1306.156. LICENSE DATABASE. The department shall make
20 available on the department's Internet website a publicly
21 accessible list of all licensed reroofing contractors who are in
22 good standing. The list must be searchable by name and location.
23 The list must contain the following information for each licensed
24 reroofing contractor:

25 (1) the name, mailing address, and telephone number of
26 the reroofing contractor;

27 (2) a summary of any disciplinary action taken by the

department against the reroofing contractor; and

(3) any other information required by the department.

Sec. 1306.157. LICENSE VERIFICATION. On request of a county or municipal building official, the department shall verify the license status of a reroofing contractor. The department shall establish a verification system to ensure a timely response to a request for license status verification of a reroofing contractor.

SUBCHAPTER E. PRACTICE BY LICENSE HOLDER

Sec. 1306.201. DISCLOSURE OF LICENSE NUMBER. A licensed reroofing contractor shall include the contractor's license number in each:

(1) contract for a reroofing project in the manner provided by Section 1306.202; and

(2) advertisement for a reroofing service by the contractor, including on each business card, flyer, or door card and in each television, radio, social media, or newspaper advertisement.

Sec. 1306.202. CONTRACT FOR REROOFING PROJECT. (a) Before engaging in a reroofing project, a licensed reroofing contractor must provide to the property owner a written contract that is signed by the reroofing contractor and the property owner.

(b) The written contract must include:

(1) the reroofing contractor's contact information, including physical address, e-mail address, and telephone number;

(2) the reroofing contractor's policy regarding cancellation of the contract, which must be consistent with state law;

1 (3) the reroofing contractor's license number in at
2 least 12-point bold type in the following form: "Texas Licensed
3 Reroofing Contractor Number (license number)"; and

4 (4) the department's contact information for
5 complaints directed to the department.

6 SUBCHAPTER F. ENFORCEMENT

7 Sec. 1306.251. INVESTIGATION OF COMPLAINTS. (a) The
8 department shall investigate any complaint alleging a violation of
9 this chapter or a rule adopted under this chapter.

10 (b) A complaint must be filed in the manner prescribed by
11 the department.

12 Sec. 1306.252. ADMINISTRATIVE PENALTY. The commission or
13 executive director may impose an administrative penalty on a person
14 under Subchapter F, Chapter 51, if the person violates:

15 (1) this chapter or a rule adopted under this chapter;
16 or

17 (2) an order of the commission or executive director.

18 Sec. 1306.253. ADMINISTRATIVE SANCTIONS. The commission
19 may impose sanctions as provided by Section 51.353.

20 Sec. 1306.254. CIVIL PENALTY. The attorney general or
21 executive director may institute an action for a civil penalty
22 under this chapter as provided by Section 51.352. The amount of a
23 civil penalty assessed under this section may not exceed \$500 for
24 each violation.

25 SECTION 2. Not later than April 1, 2026, the Texas
26 Commission of Licensing and Regulation shall adopt the rules,
27 procedures, and fees necessary to administer Chapter 1306,

1 Occupations Code, as added by this Act.

2 SECTION 3. The Texas Department of Licensing and Regulation
3 is not required to begin issuing licenses under Chapter 1306,
4 Occupations Code, as added by this Act, before June 1, 2026.

5 SECTION 4. This Act takes effect September 1, 2025.