AN ACT

relating to the regulation of mold assessors and remediators.

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

SECTION 1. Section 1958.001(4), Occupations Code, is amended to read as follows:

(4) "Mold" means any living or dead fungi or related products or parts, including spores and[~~,~~] hyphae[~~, and mycotoxins~~].

SECTION 2. Section 1958.002(b), Occupations Code, is amended to read as follows:

(b) This chapter does not apply to:

(1) the following activities when not conducted for the purpose of mold assessment or mold remediation:

(A) routine cleaning;

(B) the diagnosis, repair, cleaning, or replacement of plumbing, heating, ventilation, air conditioning, electrical, or air duct systems or appliances;

(C) commercial or residential real estate inspections; and

(D) the incidental discovery or emergency containment of potential mold contamination during the conduct or performance of services listed in this subsection;

(2) the repair, replacement, or cleaning of construction materials during the building phase of the

construction of a structure;

(3) the standard performance of custodial activities for, preventive maintenance of, and the routine assessment of property owned or operated by a governmental entity; [~~or~~]

(4) a pest control inspection conducted by a person regulated under Chapter 1951; or

(5) demolition of a structure after a fire or other disaster.

SECTION 3. Section 1958.034, Occupations Code, is amended to read as follows:

Sec. 1958.034. DUTIES. The advisory board may advise the commission and department on:

(1) technical matters relevant to the administration of this chapter;

(2) standards of [~~or~~] performance and work practices for mold assessment or remediation;

(3) qualifications for the issuance or renewal of a license, including any training or continuing education; and

(4) other issues affecting mold assessment and remediation.

SECTION 4. Section 1958.102(b), Occupations Code, is repealed.

SECTION 5. The change in law made by this Act applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1255 passed the Senate on April 10, 2025, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1255 passed the House on May 21, 2025, by the following vote: Yeas 123, Nays 23, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor