

By: Hall

S.B. No. 1476

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the regulation of real estate brokers, agents,  
3 inspectors, appraisers, and appraisal management companies.

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

5 SECTION 1. Section 1101.652(a), Occupations Code, is  
6 amended to read as follows:

7 (a) The commission may suspend or revoke a license issued  
8 under this chapter or Chapter 1102 or take other disciplinary  
9 action authorized by this chapter or Chapter 1102 if the license  
10 holder:

11 (1) ~~[enters a plea of guilty or nolo contendere or~~  
12 ~~is convicted of a felony or a criminal offense involving fraud, and~~  
13 ~~the time for appeal has elapsed or the judgment or conviction has~~  
14 ~~been affirmed on appeal, without regard to an order granting~~  
15 ~~community supervision that suspends the imposition of the sentence,~~

16 ~~(2)]~~ procures or attempts to procure a license under  
17 this chapter or Chapter 1102 for the license holder by fraud,  
18 misrepresentation, or deceit or by making a material misstatement  
19 of fact in an application for a license;

20 (2) ~~(3)]~~ fails to honor, within a reasonable time, a  
21 check issued to the commission after the commission has sent by  
22 certified mail a request for payment to the license holder's last  
23 known business address according to commission records;

24 (3) ~~(4)]~~ fails to provide, within a reasonable time,

1 information requested by the commission that relates to a formal or  
2 informal complaint to the commission that would indicate a  
3 violation of this chapter or Chapter 1102;

4 (4) [~~(5)~~] fails to surrender to the owner, without  
5 just cause, a document or instrument that is requested by the owner  
6 and that is in the license holder's possession;

7 (5) [~~(6)~~] fails to consider market conditions for the  
8 specific geographic area in which the license holder is providing a  
9 service;

10 (6) [~~(7)~~] fails to notify the commission, not later  
11 than the 30th day after the date of a final conviction or the entry  
12 of a plea of guilty or nolo contendere, that the person has been  
13 convicted of or entered a plea of guilty or nolo contendere to a  
14 felony or a criminal offense involving fraud; or

15 (7) [~~(8)~~] disregards or violates this chapter or  
16 Chapter 1102.

17 SECTION 2. Subchapter N, Chapter 1101, Occupations Code, is  
18 amended by adding Section 1101.6565 to read as follows:

19 Sec. 1101.6565. SUSPENSION, REVOCATION, OR DENIAL FOR  
20 CERTAIN OFFENSES; ELIGIBILITY FOR NEW LICENSE OR CERTIFICATE. (a)  
21 The commission shall suspend or revoke a person's license or  
22 certificate of registration or deny the issuance or renewal of a  
23 license or certificate of registration under this chapter or  
24 Chapter 1102 if:

25 (1) without regard to an order granting community  
26 supervision, the person enters a plea of guilty or nolo contendere  
27 to or is convicted of:

- 1           (A) a felony;  
2           (B) an offense under Chapter 31, 32, 34, or 35,  
3 Penal Code; or  
4           (C) an offense under Chapter 481, Health and  
5 Safety Code, involving the manufacture of, delivery of, or  
6 possession with intent to deliver a controlled substance; and  
7           (2) with respect to an offense described by  
8 Subdivision (1), the time for appeal has elapsed or the judgment or  
9 conviction has been affirmed on appeal.

10           (b) A person whose license or certificate of registration  
11 has been revoked under this section is not eligible for a new  
12 license or certificate of registration under this chapter until the  
13 tenth anniversary of the later of:

- 14           (1) the date of the revocation; or  
15           (2) the date on which the person discharged the  
16 sentence for the offense for which the person's license or  
17 certificate of registration was revoked including, as applicable,  
18 paying any fine or completing any period of supervision.

19           SECTION 3. Subchapter J, Chapter 1103, Occupations Code, is  
20 amended by adding Section 1103.450 to read as follows:

21           Sec. 1103.450. SUSPENSION, REVOCATION, OR DENIAL FOR  
22 CERTAIN OFFENSES; ELIGIBILITY FOR NEW CERTIFICATE OR LICENSE. (a)  
23 The board shall suspend or revoke a person's certificate or license  
24 or deny the issuance or renewal of a certificate or license under  
25 this chapter if:

- 26           (1) without regard to an order granting community  
27 supervision, the person enters a plea of guilty or nolo contendere

1 to or is convicted of:

2 (A) a felony;

3 (B) an offense under Chapter 31, 32, 34, or 35,  
4 Penal Code; or

5 (C) an offense under Chapter 481, Health and  
6 Safety Code, involving the manufacture of, delivery of, or  
7 possession with intent to deliver a controlled substance; and

8 (2) with respect to an offense described by  
9 Subdivision (1), the time for appeal has elapsed or the judgment or  
10 conviction has been affirmed on appeal.

11 (b) A person whose certificate or license has been revoked  
12 under this section is not eligible for a new certificate or license  
13 under this chapter until the tenth anniversary of the later of:

14 (1) the date of the revocation; or

15 (2) the date on which the person discharged the  
16 sentence for the offense for which the person's certificate or  
17 license was revoked including, as applicable, paying any fine or  
18 completing any period of supervision.

19 SECTION 4. Subchapter E, Chapter 1104, Occupations Code, is  
20 amended by adding Section 1104.2015 to read as follows:

21 Sec. 1104.2015. SUSPENSION, REVOCATION, OR DENIAL FOR  
22 CERTAIN OFFENSES; ELIGIBILITY FOR NEW REGISTRATION. (a) The board  
23 shall suspend or revoke a person's registration or deny the  
24 issuance or renewal of a registration under this chapter if:

25 (1) without regard to an order granting community  
26 supervision, the person enters a plea of guilty or nolo contendere  
27 to or is convicted of:

1           (A) a felony;

2           (B) an offense under Chapter 31, 32, 34, or 35,  
3 Penal Code; or

4           (C) an offense under Chapter 481, Health and  
5 Safety Code, involving the manufacture of, delivery of, or  
6 possession with intent to deliver a controlled substance; and

7           (2) with respect to an offense described by  
8 Subdivision (1), the time for appeal has elapsed or the judgment or  
9 conviction has been affirmed on appeal.

10          (b) A person whose registration has been revoked under this  
11 section is not eligible for a new registration issued under this  
12 chapter until the tenth anniversary of the later of:

13           (1) the date of the revocation; or

14           (2) the date on which the person discharged the  
15 sentence for the offense for which the person's registration was  
16 revoked including, as applicable, paying any fine or completing any  
17 period of supervision.

18          SECTION 5. Sections 1101.6565(a), 1103.450(a), and  
19 1104.2015(a), Occupations Code, as added by this Act, apply to a  
20 person who entered a plea of guilty or nolo contendere to or was  
21 convicted of an offense to which those subsections apply on or after  
22 January 1, 2020.

23          SECTION 6. As soon as practicable after the effective date  
24 of this Act, the Texas Real Estate Commission and the Texas  
25 Appraiser Licensing and Certification Board shall adopt rules  
26 necessary to implement the changes in law made by this Act.

27          SECTION 7. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2025.