

By: Zaffirini

S.B. No. 2075

A BILL TO BE ENTITLED

AN ACT

relating to the establishment, powers and duties, terms, and governance of certain advisory bodies for programs administered by the Texas Department of Licensing and Regulation.

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

SECTION 1. Section 301.053, Agriculture Code, is amended to read as follows:

Sec. 301.053. ADVISORY BOARDS [~~COMMITTEES~~]. The Texas Department of Licensing and Regulation may establish advisory boards [~~committees~~] to advise the Texas Department of Licensing and Regulation and to make recommendations to the Texas Department of Licensing and Regulation concerning legislation, policies, administration, research, and other matters related to the duties, powers, or functions of the Texas Department of Licensing and Regulation under this chapter.

SECTION 2. Section 1001.058, Education Code, is amended to read as follows:

Sec. 1001.058. ADVISORY BOARD [~~COMMITTEE~~]. (a) The commission shall establish an advisory board [~~committee~~] to advise the commission and department on rules and educational and technical matters relevant to the administration of this chapter.

(b) The advisory board [~~committee~~] consists of nine members appointed for staggered six-year terms by the presiding officer of the commission, with the approval of the commission, as follows:

- (1) three driver education providers;
- (2) three driving safety providers;
- (3) one driver education instructor;
- (4) the division head of the Department of Public Safety driver license division or the division head's designee; and
- (5) one member of the public.

(c) The presiding officer of the commission shall appoint the presiding officer of the advisory board for a term of two years ~~[committee]~~. The presiding officer of the advisory board ~~[committee]~~ may vote on any matter before the advisory board ~~[committee]~~.

(d) ~~[A member may not serve two consecutive full terms.]~~

~~[(e)]~~ If a vacancy occurs during a term, the presiding officer of the commission, with the approval of the commission, shall appoint a replacement who meets the qualifications of the vacated position to serve for the remainder of the term.

(e) ~~[(f)]~~ A member of the advisory board ~~[committee]~~ may be removed from the advisory board ~~[committee]~~ as provided by Section [51.209](#), Occupations Code.

(f) ~~[(g)]~~ Members of the advisory board ~~[committee]~~ may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the advisory board ~~[committee]~~, subject to the General Appropriations Act.

(g) ~~[(h)]~~ Chapter [2110](#), Government Code, does not apply to the advisory board ~~[committee]~~.

SECTION 3. Section [469.053](#), Government Code, is amended to

1 read as follows:

2       Sec. 469.053. ADVISORY BOARD [~~COMMITTEE~~]; TERMS; MEETINGS;  
3 REVIEW OF AND COMMENT ON RULES. (a) The presiding officer of the  
4 commission, with the commission's approval, shall appoint an  
5 advisory board [~~committee~~] for the architectural barriers program.  
6 The board [~~committee~~] shall consist of building professionals and  
7 persons with disabilities who are familiar with architectural  
8 barrier problems and solutions. The board [~~committee~~] shall  
9 consist of at least eight members. A majority of the members of the  
10 board [~~committee~~] must be persons with disabilities.

11       (b) Members of the advisory board serve staggered six-year  
12 terms [~~A committee member serves at the will of the presiding~~  
13 ~~officer of the commission~~].

14       (c) A board [~~committee~~] member may not receive compensation  
15 for service on the board [~~committee~~] but is entitled to  
16 reimbursement for actual and necessary expenses incurred in  
17 performing functions as a member.

18       (d) The presiding officer of the commission, with the  
19 commission's approval, shall appoint a board [~~committee~~] member as  
20 presiding officer for two years.

21       (e) [~~(f)~~ ~~The committee periodically shall review the rules~~  
22 ~~relating to the architectural barriers program and recommend~~  
23 ~~changes in the rules to the commission.~~

24       [~~(g)~~] The commission must submit all proposed changes to any  
25 rule or procedure that relates to the architectural barriers  
26 program to the board [~~committee~~] for review and comment before  
27 adopting or implementing the new or amended rule or procedure.

SECTION 4. Section 754.012(b), Health and Safety Code, is amended to read as follows:

(b) A member of the advisory board may be removed from the advisory board as provided by Section 51.209, Occupations Code ~~[Board members serve at the will of the commission]~~.

SECTION 5. Section 51.001(1), Occupations Code, is amended to read as follows:

(1) "Advisory board" means an ~~[a board, committee, council, or other]~~ entity with multiple members that has as its primary function advising the commission or department.

SECTION 6. Subchapter D, Chapter 51, Occupations Code, is amended by adding Section 51.2094 to read as follows:

Sec. 51.2094. PROGRAM ADVISORY BOARDS. (a) The commission may establish an advisory board to advise the commission or the department regarding a program subject to regulation by the department.

(b) Unless otherwise provided by a law establishing a regulatory program administered by the department, the commission may establish:

(1) the number of advisory board members, provided that the number of members must be an odd number of three or more;

(2) the qualifications for an advisory board member;  
and

(3) the terms of advisory board members.

(c) Unless otherwise provided by a law establishing a regulatory program administered by the department, members of an advisory board shall be appointed by the presiding officer of the

1 commission with the commission's approval.

2 (d) Unless otherwise provided by a law establishing a  
3 regulatory program administered by the department, the presiding  
4 officer of the commission, on approval of the commission, shall  
5 designate a member of the advisory board to serve as the presiding  
6 officer of the advisory board for a two-year term. The presiding  
7 officer of the advisory board may vote on any matter before the  
8 advisory board.

9 SECTION 7. Section 203.055(a), Occupations Code, is amended  
10 to read as follows:

11 (a) Members of the advisory board serve for staggered terms  
12 of six years. ~~[The terms of three members expire on January 31 of~~  
13 ~~each odd-numbered year.]~~

14 SECTION 8. Section 203.056, Occupations Code, is amended to  
15 read as follows:

16 Sec. 203.056. PRESIDING OFFICER. The presiding officer of  
17 the commission shall designate a member of the advisory board to  
18 serve as the presiding officer of the advisory board to serve for a  
19 term of two years ~~[one year]~~. The presiding officer of the advisory  
20 board may vote on any matter before the advisory board.

21 SECTION 9. Section 401.105(a), Occupations Code, is amended  
22 to read as follows:

23 (a) Members are appointed for staggered six-year terms.  
24 ~~[The terms of three members expire September 1 of each odd-numbered~~  
25 ~~year.]~~

26 SECTION 10. Section 401.107(a), Occupations Code, is  
27 amended to read as follows:

1 (a) The presiding officer of the commission shall designate  
2 a member of the advisory board to serve as the presiding officer of  
3 the advisory board for a term of two years [~~one year~~].

4 SECTION 11. Section 402.055(a), Occupations Code, is  
5 amended to read as follows:

6 (a) Members of the advisory board serve staggered six-year  
7 terms. [~~The terms of three members expire on February 1 of each~~  
8 ~~odd-numbered year.~~]

9 SECTION 12. Section 402.057, Occupations Code, is amended  
10 to read as follows:

11 Sec. 402.057. PRESIDING OFFICER. The presiding officer of  
12 the commission shall designate a member of the advisory board to  
13 serve as the presiding officer of the advisory board for a term of  
14 two years [~~one year~~]. The presiding officer of the advisory board  
15 may vote on any matter before the advisory board.

16 SECTION 13. Section 403.051, Occupations Code, is amended  
17 to read as follows:

18 Sec. 403.051. ADVISORY BOARD [~~COMMITTEE~~]. The department  
19 shall appoint an advisory board [~~committee~~] to provide advice and  
20 recommendations to the department on technical matters relevant to  
21 the administration of this chapter.

22 SECTION 14. Section 451.053(a), Occupations Code, is  
23 amended to read as follows:

24 (a) Board members serve staggered six-year terms [~~with the~~  
25 ~~terms of one or two members expiring on January 31 of each~~  
26 ~~odd-numbered year~~].

27 SECTION 15. Section 451.055, Occupations Code, is amended

to read as follows:

Sec. 451.055. PRESIDING OFFICER. The presiding officer of the commission shall designate a member of the board to serve as the presiding officer of the board for a two-year ~~[one-year]~~ term. The presiding officer of the board may vote on any matter before the board.

SECTION 16. Section 455.103(a), Occupations Code, is amended to read as follows:

(a) Members of the advisory board are appointed for staggered six-year terms. ~~[The terms of three members expire September 1 of each odd-numbered year.]~~

SECTION 17. Section 455.104(a), Occupations Code, is amended to read as follows:

(a) The presiding officer of the commission shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a term of two years ~~[one year]~~.

SECTION 18. Section 506.103(a), Occupations Code, is amended to read as follows:

(a) Members of the advisory board serve staggered six-year terms~~[, with the terms of three members expiring February 1 of each odd-numbered year].~~

SECTION 19. Section 506.104, Occupations Code, is amended to read as follows:

Sec. 506.104. PRESIDING OFFICER. The presiding officer of the commission shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a term of two years ~~[one year]~~. The presiding officer of the advisory board

1 may vote on any matter before the advisory board.

2 SECTION 20. Section 605.055(a), Occupations Code, is  
3 amended to read as follows:

4 (a) Members of the advisory board serve staggered six-year  
5 terms. [~~The terms of two or three members expire on February 1 of~~  
6 ~~each odd-numbered year.~~]

7 SECTION 21. Section 605.056, Occupations Code, is amended  
8 to read as follows:

9 Sec. 605.056. PRESIDING OFFICER. The presiding officer of  
10 the commission, with the commission's approval, shall designate a  
11 member of the advisory board to serve as the presiding officer of  
12 the advisory board for a term of two years [~~one year~~]. The  
13 presiding officer of the advisory board may vote on any matter  
14 before the advisory board.

15 SECTION 22. Section 701.054(a), Occupations Code, is  
16 amended to read as follows:

17 (a) Members of the advisory board serve staggered six-year  
18 terms. [~~The terms of three members begin on September 1 of each~~  
19 ~~odd-numbered year.~~]

20 SECTION 23. Section 701.057, Occupations Code, is amended  
21 to read as follows:

22 Sec. 701.057. PRESIDING OFFICER. The presiding officer of  
23 the commission shall designate a member of the advisory board as the  
24 presiding officer of the advisory board to serve for a term of two  
25 years [~~one year~~]. The presiding officer of the advisory board may  
26 vote on any matter before the advisory board.

27 SECTION 24. Section 802.065, Occupations Code, is amended



to read as follows:

Sec. 802.065. ADVISORY BOARD [~~COMMITTEE~~]. (a) The commission shall establish an advisory board [~~committee~~] to advise the commission and make recommendations on matters related to the administration and enforcement of this chapter, including licensing fees and standards adopted under Subchapter E.

(b) The advisory board [~~committee~~] consists of nine members appointed by the presiding officer of the commission with the approval of the commission as follows:

- (1) two members who are licensed breeders;
- (2) two members who are veterinarians;
- (3) two members who represent animal welfare organizations each of which has an office based in this state;
- (4) two members who represent the public; and
- (5) one member who is an animal control officer as defined in Section [829.001](#), Health and Safety Code.

(c) Members of the advisory board [~~committee~~] serve staggered six-year [~~four-year~~] terms. [~~The terms of four or five members expire on February 1 of each odd-numbered year.~~] If a vacancy occurs during a member's term, the presiding officer of the commission, with the approval of the commission, shall appoint a replacement member to serve for the remainder of the unexpired term.

(d) The presiding officer of the commission shall designate one member of the advisory board [~~committee~~] to serve as presiding officer of the advisory board [~~committee~~] for a two-year term. A member may serve more than one term as presiding officer.

1        (e) [~~(f)~~] Except for the members described by Subsection  
2 (b)(1), a person may not be a member of the advisory board  
3 [~~committee~~] if the person or a member of the person's household:

4            (1) is required to be licensed under this chapter;

5            (2) is an officer, employee, or paid consultant of an  
6 entity required to be licensed under this chapter;

7            (3) owns or controls, either directly or indirectly,  
8 more than a 10 percent interest in an entity required to be licensed  
9 under this chapter; or

10           (4) is required to register as a lobbyist under  
11 Chapter 305, Government Code, because of the person's activities  
12 for compensation on behalf of an entity required to be licensed  
13 under this chapter.

14        (f) [~~(g)~~] The presiding officer of the commission may  
15 remove from the advisory board [~~committee~~] a member who is  
16 ineligible for membership under Subsection (e) [~~(f)~~].

17        (g) [~~(h)~~] A member may not receive compensation for service  
18 on the advisory board [~~committee~~]. Subject to the department's  
19 budget and any limitation provided by the General Appropriations  
20 Act, a board [~~committee~~] member may receive reimbursement for the  
21 actual and necessary expenses incurred while performing advisory  
22 board [~~committee~~] duties.

23        (h) [~~(i)~~] A decision of the advisory board [~~committee~~] is  
24 effective only on a majority vote of the members present.

25        (i) [~~(j)~~] Chapter 2110, Government Code, does not apply to  
26 the size, composition, or duration of the advisory board  
27 [~~committee~~] or to the appointment of the board's [~~committee's~~]

1 presiding officer.

2 SECTION 25. Section 1151.002(7-b), Occupations Code, is  
3 amended to read as follows:

4 (7-b) "Board" [~~"Committee"~~] means the Texas Tax  
5 Professional Advisory Board [~~Committee~~].

6 SECTION 26. Subchapter B, Chapter 1151, Occupations Code,  
7 is amended to read as follows:

8 SUBCHAPTER B. TEXAS TAX PROFESSIONAL ADVISORY BOARD [~~COMMITTEE~~]

9 Sec. 1151.051. MEMBERSHIP. (a) The Texas Tax Professional  
10 Advisory Board [~~Committee~~] consists of seven members appointed by  
11 the presiding officer of the commission with the approval of the  
12 commission as follows:

13 (1) two members who are certified under this chapter  
14 as registered professional appraisers;

15 (2) two members who are certified under this chapter  
16 as registered Texas collectors or registered Texas assessors; and

17 (3) three members who represent the public.

18 (b) A vacancy on the board [~~committee~~] is filled in the same  
19 manner as the original appointment for the unexpired portion of the  
20 term.

21 (c) The presiding officer of the commission shall designate  
22 one member of the board [~~committee~~] as the presiding officer to  
23 serve a two-year term.

24 (d) Each appointment to the board [~~committee~~] shall be made  
25 without regard to the race, color, disability, sex, religion, age,  
26 or national origin of the appointee.

27 (e) Section 2110.008, Government Code, does not apply to the

1 board [~~committee~~].

2       Sec. 1151.0511. PUBLIC MEMBER ELIGIBILITY. A person may  
3 not be a public member of the board [~~committee~~] if the person or the  
4 person's spouse:

5           (1) is registered, certified, or licensed by a  
6 regulatory agency in the field of property tax appraisal,  
7 assessment, or collection;

8           (2) is employed by or participates in the management  
9 of a business entity or other organization regulated by or  
10 receiving money from the department;

11           (3) owns or controls, directly or indirectly, more  
12 than a 10 percent interest in a business entity or other  
13 organization regulated by or receiving money from the department;

14           (4) uses or receives a substantial amount of tangible  
15 goods, services, or money from the department other than  
16 compensation or reimbursement authorized by law for board  
17 [~~committee~~] membership, attendance, or expenses; or

18           (5) at any time has served on an appraisal review  
19 board.

20       Sec. 1151.0512. MEMBERSHIP AND EMPLOYEE RESTRICTIONS. (a)  
21 In this section, "Texas trade association" means a cooperative and  
22 voluntarily joined statewide association of business or  
23 professional competitors in this state designed to assist its  
24 members and its industry or profession in dealing with mutual  
25 business or professional problems and in promoting their common  
26 interest.

27       (b) A person may not be a member of the board [~~committee~~] if:

1           (1) the person is an officer, employee, or paid  
2 consultant of a Texas trade association in the field of property tax  
3 appraisal, assessment, or collection; or

4           (2) the person's spouse is an officer, manager, or paid  
5 consultant of a Texas trade association in the field of property tax  
6 appraisal, assessment, or collection.

7           (c) A person may not be a member of the board [~~committee~~] if  
8 the person or the person's spouse is required to register as a  
9 lobbyist under Chapter 305, Government Code, because of the  
10 person's activities for compensation on behalf of a profession  
11 related to the operation of the board [~~committee~~] or the  
12 department.

13           Sec. 1151.052. TERMS. Board [~~Committee~~] members serve  
14 staggered six-year terms[, ~~with the terms of one or two members~~  
15 ~~expiring on March 1 of each odd-numbered year~~].

16           Sec. 1151.055. COMPENSATION; REIMBURSEMENT. [~~(a)~~] A board  
17 [~~committee~~] member may not receive compensation for the member's  
18 services.

19           SECTION 27. The heading to Subchapter C, Chapter 1151,  
20 Occupations Code, is amended to read as follows:

21           SUBCHAPTER C. DUTIES OF COMMISSION, EXECUTIVE DIRECTOR,  
22                           DEPARTMENT, AND ADVISORY BOARD [~~COMMITTEE~~]

23           SECTION 28. Section 1151.101, Occupations Code, is amended  
24 to read as follows:

25           Sec. 1151.101. FEES. The commission, with the advice of the  
26 board [~~committee~~], shall establish fees under this chapter in  
27 amounts reasonable and necessary to cover the costs of

administering the programs and activities under this chapter.

SECTION 29. Section 1151.108, Occupations Code, is amended to read as follows:

Sec. 1151.108. BOARD [~~COMMITTEE~~] DUTIES. The board [~~committee~~] shall:

(1) recommend to the commission rules and standards regarding technical issues relating to tax professionals;

(2) provide advice to the commission regarding continuing education courses and curricula for registrants;

(3) provide advice to the commission regarding the contents of any examination required by the commission under this chapter; and

(4) educate, and respond to questions from, the commission and the department regarding issues affecting tax professionals.

SECTION 30. Subchapter C, Chapter 1152, Occupations Code, is amended to read as follows:

SUBCHAPTER C. PROPERTY TAX CONSULTANTS ADVISORY BOARD [~~COUNCIL~~]

Sec. 1152.101. DEFINITION. In this subchapter, "board" [~~"council"~~] means the Property Tax Consultants Advisory Board [~~Council~~].

Sec. 1152.102. BOARD [~~COUNCIL~~] MEMBERSHIP. (a) The board [~~council~~] is composed of seven members appointed by the presiding officer of the commission, with the commission's approval.

(b) The presiding officer of the commission may appoint not more than two members who are qualified for an exemption under Section 1152.002(a)(3).

(c) Except as provided by Subsection (d), each person appointed for membership on the board [~~council~~] must:

(1) be a registered senior property tax consultant;

(2) be a member of a nonprofit and voluntary trade association:

(A) whose membership consists primarily of persons who perform property tax consulting services in this state or who engage in property tax management in this state for other persons;

(B) that has written experience and examination requirements for membership; and

(C) that subscribes to a code of professional conduct or ethics;

(3) be a resident of this state for the five years preceding the date of the appointment; and

(4) have performed or supervised the performance of property tax consulting services as the person's primary occupation continuously for the five years preceding the date of the appointment.

(d) One member of the board [~~council~~] must be a public member.

Sec. 1152.103. MEMBERSHIP RESTRICTIONS. A person is not eligible for appointment as a member of the board [~~council~~] if the person is:

(1) required to register with the secretary of state under Chapter 305, Government Code;

(2) required to register with the department under

Chapter 1151; or

(3) exempt from the registration requirements imposed by this chapter, except as provided by Section 1152.102.

Sec. 1152.104. TERMS; VACANCY. (a) Members of the board [~~council~~] serve staggered six-year [~~three-year~~] terms[, ~~with the terms of two members expiring on February 1 of each year~~].

(b) If a vacancy occurs during a member's term, the presiding officer of the commission, with the commission's approval, shall appoint to fill the unexpired part of the term a replacement who meets the qualifications of the vacated office.

Sec. 1152.105. PRESIDING OFFICER. The presiding officer of the commission, with the commission's approval, shall appoint a member of the board [~~council~~] to serve as presiding officer of the board [~~council~~] for two years.

Sec. 1152.106. VOTE REQUIRED FOR ACTION. A decision of the board [~~council~~] is not effective unless it receives the affirmative vote of at least four members.

Sec. 1152.107. COMPENSATION; REIMBURSEMENT. A board [~~council~~] member is not entitled to receive compensation for serving as a member. A board [~~council~~] member is entitled to reimbursement for reasonable expenses incurred in performing duties as a member, subject to applicable limitations in the General Appropriations Act.

Sec. 1152.108. BOARD [~~COUNCIL~~] POWERS. The board [~~council~~] shall:

(1) recommend to the commission standards of practice, conduct, and ethics for registrants to be adopted under this



chapter;

(2) recommend to the commission amounts for the fees it may set under this chapter;

(3) recommend to the commission contents for the senior property tax consultant registration examination and standards of acceptable performance;

(4) assist and advise the commission in recognizing continuing education programs and educational courses for registrants; and

(5) advise the commission in establishing educational requirements for initial applicants.

SECTION 31. Section 1302.201, Occupations Code, is amended to read as follows:

Sec. 1302.201. ADVISORY BOARD MEMBERSHIP. The air conditioning and refrigeration contractors advisory board consists of nine members appointed by the presiding officer of the commission, with the commission's approval~~[, and two ex officio nonvoting members]~~. One member of the advisory board must be a public member.

SECTION 32. Section 1302.205(a), Occupations Code, is amended to read as follows:

(a) Appointed advisory board members serve staggered six-year terms. ~~[The terms of two appointed members expire on February 1 of each odd-numbered year.]~~

SECTION 33. Section 1305.052(a), Occupations Code, is amended to read as follows:

(a) Advisory board members serve staggered terms of six

1 years[~~, with the terms of three members expiring on February 1 of~~  
2 ~~each odd-numbered year~~].

3 SECTION 34. Section 1305.053, Occupations Code, is amended  
4 to read as follows:

5 Sec. 1305.053. PRESIDING OFFICER. The presiding officer of  
6 the commission shall appoint one of the advisory board members to  
7 serve as presiding officer of the advisory board for a term of two  
8 years [~~one year~~]. The presiding officer of the advisory board may  
9 vote on any matter before the advisory board.

10 SECTION 35. Section 1603.053(a), Occupations Code, is  
11 amended to read as follows:

12 (a) Members of the advisory board serve staggered six-year  
13 terms[~~, with the terms of three members expiring January 31 of each~~  
14 ~~odd-numbered year~~].

15 SECTION 36. Section 1802.102(a), Occupations Code, is  
16 amended to read as follows:

17 (a) The advisory board consists of seven members appointed  
18 as follows:

19 (1) four members who are licensed auctioneers  
20 appointed by the presiding officer of the commission, with the  
21 commission's approval;

22 (2) one member who represents an auction school [~~the~~  
23 ~~administrative head, or the administrative head's designee, of any~~  
24 ~~state agency or office that is selected by the commission~~]; and

25 (3) two public members.

26 SECTION 37. Sections 1802.103 and 1802.104, Occupations  
27 Code, are amended to read as follows:

1           Sec. 1802.103. TERMS; VACANCIES. [~~(a)~~] Advisory board  
2 members serve staggered six-year terms [~~that expire on September 1~~  
3 ~~of each odd-numbered year. Members may not serve more than two~~  
4 ~~consecutive terms~~]. If a vacancy occurs during [~~the term of such~~] a  
5 member's term [~~member~~], the presiding officer of the commission,  
6 with the commission's approval, shall appoint a replacement to  
7 serve for the remainder of the term.

8           Sec. 1802.104. PRESIDING OFFICER. The presiding officer of  
9 the commission, with the commission's approval, shall appoint a  
10 member of the advisory board to serve as presiding officer of the  
11 board. The presiding officer shall serve a term of [~~serves for~~] two  
12 years [~~and may not serve more than two consecutive terms~~].

13           SECTION 38. Section 1901.001(3), Occupations Code, is  
14 amended to read as follows:

15                   (3) "Board" [~~"Council"~~] means the Texas Water Well  
16 Drillers Advisory Board [~~Council~~].

17           SECTION 39. The heading to Subchapter C, Chapter 1901,  
18 Occupations Code, is amended to read as follows:

19           SUBCHAPTER C. TEXAS WATER WELL DRILLERS ADVISORY BOARD [~~COUNCIL~~]

20           SECTION 40. Section 1901.101, Occupations Code, is amended  
21 to read as follows:

22           Sec. 1901.101. BOARD [~~COUNCIL~~] MEMBERSHIP. (a) The Texas  
23 Water Well Drillers Advisory Board [~~Council~~] consists of nine  
24 members appointed by the presiding officer of the commission, with  
25 the commission's approval, as follows:

26                   (1) six members who are drillers experienced in the  
27 well drilling business and familiar with well drilling, completion,

1 and plugging methods and techniques; and

2 (2) three public members.

3 (b) One member appointed under Subsection (a)(1) must be  
4 selected from the state at large and the remaining five driller  
5 members must be selected from each of the following geographic  
6 areas of the state:

7 (1) Gulf Coast area;

8 (2) Trans-Pecos area;

9 (3) Central Texas area;

10 (4) Northeast Texas area; and

11 (5) Panhandle-South Plains area.

12 (c) Appointments to the board [~~council~~] shall be made  
13 without regard to the race, creed, sex, religion, or national  
14 origin of the appointee.

15 SECTION 41. Section 1901.102(b), Occupations Code, is  
16 amended to read as follows:

17 (b) A person is not eligible for appointment as a public  
18 member of the board [~~council~~] if the person or the person's spouse:

19 (1) is licensed by an occupational regulatory agency  
20 in the field of well drilling; or

21 (2) is employed by, participates in the management of,  
22 or has, other than as a consumer, a financial interest in a business  
23 entity or other organization related to the field of well drilling.

24 SECTION 42. Section 1901.103, Occupations Code, is amended  
25 to read as follows:

26 Sec. 1901.103. MEMBERSHIP AND EMPLOYEE RESTRICTIONS. (a)  
27 An officer, employee, or paid consultant of a trade association in

1 the well drilling industry may not be a board [~~council~~] member or an  
2 employee of the department connected with the administration of  
3 this chapter.

4 (b) A board [~~council~~] member or an employee of the  
5 department connected with the administration of this chapter may  
6 not be related within the second degree by affinity or  
7 consanguinity to a person who is an officer, employee, or paid  
8 consultant of a trade association in the well drilling industry.

9 (c) A person may not serve as a member of the board [~~council~~]  
10 if the person is required to register as a lobbyist under Chapter  
11 305, Government Code, because of the person's activities on behalf  
12 of a trade or professional association in the well drilling  
13 industry.

14 SECTION 43. Section 1901.104, Occupations Code, is amended  
15 to read as follows:

16 Sec. 1901.104. TERMS. Board [~~Council~~] members serve  
17 staggered six-year terms [~~expiring September 15~~].

18 SECTION 44. Section 1901.105, Occupations Code, is amended  
19 to read as follows:

20 Sec. 1901.105. PRESIDING OFFICER. The presiding officer of  
21 the commission, with the commission's approval, shall appoint a  
22 member of the board [~~council~~] to serve as presiding officer of the  
23 board [~~council~~] for two years.

24 SECTION 45. Section 1901.107, Occupations Code, is amended  
25 to read as follows:

26 Sec. 1901.107. MEETINGS; QUORUM. (a) [~~(b)~~] The board  
27 [~~council~~] shall conduct meetings in compliance with Chapter 551,

Government Code.

(b) ~~[(c)]~~ A majority of the board ~~[council]~~ constitutes a quorum.

SECTION 46. Section 1901.108, Occupations Code, is amended to read as follows:

Sec. 1901.108. REIMBURSEMENT. A board ~~[council]~~ member may be reimbursed for travel expenses, including expenses for meals and lodging. A member is entitled to reimbursement for transportation expenses as prescribed by the General Appropriations Act.

SECTION 47. Section 1901.109, Occupations Code, is amended to read as follows:

Sec. 1901.109. BOARD ~~[COUNCIL]~~ POWERS AND DUTIES. (a) The board ~~[council]~~ may propose rules for adoption by the commission relating to the regulation of drillers registered under this chapter.

(b) The board ~~[council]~~ shall advise the department on the contents of licensing examinations.

(c) The board ~~[council]~~ may:

(1) recommend standards for continuing education programs, including standards relating to:

(A) the qualifications of program providers and instructors; and

(B) the amount of program fees; and

(2) recommend topics to be covered in a continuing education course.

(d) The board ~~[council]~~ shall assist the commission in evaluating continuing education programs.

SECTION 48. Section 1902.001(3), Occupations Code, is amended to read as follows:

(3) "Board" [~~"Council"~~] means the Texas Water Well Drillers Advisory Board [~~Council~~].

SECTION 49. Section 1902.251, Occupations Code, is amended to read as follows:

Sec. 1902.251. INSTALLING AND REPAIRING PUMPS. An installer shall install or repair pumps under standards and procedures adopted by the commission with the advice of the board [~~council~~].

SECTION 50. Section 1952.055, Occupations Code, is amended to read as follows:

Sec. 1952.055. ADVISORY BOARD [~~COMMITTEE~~]. The department may establish an advisory board [~~committee~~] to provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

SECTION 51. Section 1953.0512, Occupations Code, is amended to read as follows:

Sec. 1953.0512. ADVISORY BOARD [~~COMMITTEE~~]. The department may establish an advisory board [~~committee~~] to provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

SECTION 52. Section 1958.032(a), Occupations Code, is amended to read as follows:

(a) Members of the advisory board serve staggered six-year terms[~~, with the terms of three or four members expiring on February 1 of each odd-numbered year~~].

SECTION 53. Section 1958.033, Occupations Code, is amended to read as follows:

Sec. 1958.033. PRESIDING OFFICER. The presiding officer of the commission, with the approval of the commission, shall appoint one of the advisory board members to serve as presiding officer of the advisory board for a term of two years [~~one year~~].

SECTION 54. Section 2308.051(a), Occupations Code, is amended to read as follows:

(a) The advisory board consists of nine [~~the following~~] members appointed by the presiding officer of the commission with the approval of the commission:

(1) one representative of a towing company operating in a county with a population of less than one million;

(2) one representative of a towing company operating in a county with a population of one million or more;

(3) one representative of a vehicle storage facility located in a county with a population of less than one million;

(4) one representative of a vehicle storage facility located in a county with a population of one million or more;

(5) one parking facility representative;

(6) one peace officer from a county with a population of less than one million;

(7) one peace officer from a county with a population of one million or more;

(8) one representative of a member insurer, as defined by Section 462.004, Insurance Code, of the Texas Property and Casualty Insurance Guaranty Association who writes automobile



1 insurance in this state; and

2 (9) one person who operates both a towing company and a  
3 vehicle storage facility.

4 SECTION 55. Section 2308.052(a), Occupations Code, is  
5 amended to read as follows:

6 (a) Advisory board members serve staggered terms of six  
7 years[~~, with the terms of two or three members, as appropriate,~~  
8 ~~expiring on February 1 of each odd-numbered year~~].

9 SECTION 56. Section 2308.053, Occupations Code, is amended  
10 to read as follows:

11 Sec. 2308.053. PRESIDING OFFICER. The presiding officer of  
12 the commission shall appoint one of the advisory board members to  
13 serve as presiding officer of the advisory board for a term of two  
14 years [~~one year~~]. The presiding officer of the advisory board may  
15 vote on any matter before the advisory board.

16 SECTION 57. Section 2309.052(a), Occupations Code, is  
17 amended to read as follows:

18 (a) Advisory board members serve staggered terms of six  
19 years[~~, with the terms of one or two members expiring on February 1~~  
20 ~~of each odd-numbered year~~].

21 SECTION 58. Section 2309.053, Occupations Code, is amended  
22 to read as follows:

23 Sec. 2309.053. PRESIDING OFFICER. The presiding officer of  
24 the commission shall appoint one of the advisory board members to  
25 serve as presiding officer of the advisory board for a term of two  
26 years [~~one year~~]. The presiding officer of the advisory board may  
27 vote on any matter before the advisory board.

SECTION 59. Section 2310.033(a), Occupations Code, is amended to read as follows:

(a) Members of the board serve staggered six-year terms[~~7 with the terms of three or four members expiring on February 1 of each odd-numbered year~~].

SECTION 60. Section 2310.034, Occupations Code, is amended to read as follows:

Sec. 2310.034. PRESIDING OFFICER. The presiding officer of the commission, with the approval of the commission, shall appoint one of the board members to serve as presiding officer of the board for a term of two years [~~one year~~].

SECTION 61. Sections 662.0037(c) and (e), Transportation Code, are amended to read as follows:

(c) The advisory board members serve staggered six-year terms. [~~The terms of three members expire September 1 of each odd-numbered year.~~]

(e) The presiding officer of the commission, on approval of the commission, shall designate a member of the advisory board to serve as the presiding officer of the advisory board for two years [~~a one-year term~~]. The presiding officer of the advisory board may vote on any matter before the advisory board.

SECTION 62. The following provisions of the Occupations Code are repealed:

- (1) Section 506.103(b);
- (2) Sections 605.059, 1302.203, and 1302.208;
- (3) Section 1305.052(b);
- (4) Section 1901.106; and

1           (5) Sections 2308.052(b) and 2309.052(b).

2           SECTION 63. This Act takes effect September 1, 2025.