

1-1 By: Giddings (Senate Sponsor - West) H.B. No. 1508
 1-2 (In the Senate - Received from the House April 18, 2017;
 1-3 May 2, 2017, read first time and referred to Committee on Business
 1-4 & Commerce; May 22, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 May 22, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1508 By: Campbell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to notice to applicants to and enrollees in certain
 1-22 educational programs regarding the consequences of a criminal
 1-23 conviction on eligibility for an occupational license.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 53, Occupations Code, is amended by
 1-26 adding Subchapter E to read as follows:

1-27 SUBCHAPTER E. NOTICE OF POTENTIAL INELIGIBILITY FOR LICENSE

1-28 Sec. 53.151. DEFINITIONS. Notwithstanding Section 53.001,
 1-29 in this subchapter, "licensing authority" and "occupational
 1-30 license" have the meanings assigned to those terms by Section
 1-31 58.001.

1-32 Sec. 53.152. NOTICE BY ENTITIES PROVIDING EDUCATIONAL
 1-33 PROGRAMS. (a) An entity that provides an educational program to
 1-34 prepare an individual for issuance of an initial occupational
 1-35 license shall notify each applicant to and enrollee in the
 1-36 educational program of:

1-37 (1) the potential ineligibility of an individual who
 1-38 has been convicted of an offense for issuance of an occupational
 1-39 license on completion of the educational program;

1-40 (2) the current guidelines issued under Section 53.025
 1-41 by any licensing authority that may issue an occupational license
 1-42 to an individual who completes the educational program;

1-43 (3) any other state or local restriction or guideline
 1-44 used by a licensing authority described by Subdivision (2) to
 1-45 determine the eligibility of an individual who has been convicted
 1-46 of an offense for an occupational license issued by the licensing
 1-47 authority; and

1-48 (4) the right to request a criminal history evaluation
 1-49 letter under Section 53.102.

1-50 (b) The entity shall provide the notice required under
 1-51 Subsection (a) to each applicant and enrollee regardless of whether
 1-52 the applicant or enrollee has been convicted of an offense.

1-53 Sec. 53.153. REFUND AND ORDERED PAYMENTS. A licensing
 1-54 authority that determines that an entity regulated by the licensing
 1-55 authority has failed to provide the notice required by Section
 1-56 53.152 to an individual entitled to receive the notice and that the
 1-57 individual's application for an occupational license for which the
 1-58 entity's educational program prepares the individual was denied
 1-59 because the individual has been convicted of an offense shall order
 1-60 the entity to:

2-1 (1) refund the amount of any tuition paid by the
2-2 individual to the entity; and

2-3 (2) pay to the individual an amount equal to the total
2-4 of the following, as applicable:

2-5 (A) the amount of any application fees paid by
2-6 the individual to the licensing authority; and

2-7 (B) the amount of any examination fees paid by
2-8 the individual to the licensing authority or an examination
2-9 provider approved by the licensing authority.

2-10 SECTION 2. Section 53.152, Occupations Code, as added by
2-11 this Act, applies only with respect to:

2-12 (1) an individual who is enrolled in an educational
2-13 program subject to that section on or after the effective date of
2-14 this Act; and

2-15 (2) an applicant for enrollment in an educational
2-16 program subject to that section who applies for enrollment in the
2-17 program on or after that date.

2-18 SECTION 3. This Act takes effect September 1, 2017.

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