

1-1 By: Perry S.B. No. 1172
1-2 (In the Senate - Filed February 7, 2025; February 28, 2025,
1-3 read first time and referred to Committee on Business & Commerce;
1-4 March 19, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; March 19, 2025,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
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	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1172 By: King

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to exempting certain transactions from regulation by the
1-24 Texas Real Estate Commission.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 1101.002, Occupations Code, is amended
1-27 by adding Subdivisions (4-a) and (4-b) to read as follows:

1-28 (4-a) "Mineral" has the meaning assigned by Section
1-29 75.001, Property Code. The term includes oil, gas, related
1-30 hydrocarbons, coal, lignite, uranium, and substances classified as
1-31 base, industrial, precious, or strategic minerals.

1-32 (4-b) "Other energy source" means a natural resource
1-33 other than water or a mineral that is necessary to produce energy,
1-34 including geothermal, nuclear, solar, and wind energy.

1-35 SECTION 2. Section 1101.005, Occupations Code, is amended
1-36 to read as follows:

1-37 Sec. 1101.005. APPLICABILITY OF CHAPTER. This chapter does
1-38 not apply to:

1-39 (1) an attorney licensed in this state;

1-40 (2) an attorney-in-fact authorized under a power of
1-41 attorney to conduct not more than three real estate transactions
1-42 annually;

1-43 (3) a public official while engaged in official
1-44 duties;

1-45 (4) an auctioneer licensed under Chapter 1802 while
1-46 conducting the sale of real estate by auction if the auctioneer does
1-47 not perform another act of a broker;

1-48 (5) a person conducting a real estate transaction
1-49 under a court order or the authority of a will or written trust
1-50 instrument;

1-51 (6) a person employed by an owner in the sale of
1-52 structures and land on which structures are located if the
1-53 structures are erected by the owner in the course of the owner's
1-54 business;

1-55 (7) an on-site manager of an apartment complex;

1-56 (8) an owner or the owner's employee who leases the
1-57 owner's improved or unimproved real estate; ~~or~~

1-58 (9) a transaction involving:

1-59 (A) the sale, lease, or transfer of a real
1-60 property interest in:

2-1 (i) minerals, mining, or a quarry;
2-2 (ii) standing timber; or
2-3 (iii) other energy sources [~~mineral or~~
2-4 ~~mining interest in real property~~];
2-5 (B) the sale, lease, or transfer of a cemetery
2-6 lot;
2-7 (C) the lease or management of a hotel or motel;
2-8 or
2-9 (D) the sale of real property under a power of
2-10 sale conferred by a deed of trust or other contract lien;
2-11 (10) the sale, lease, or transfer of real estate owned
2-12 or leased by or being acquired by or leased to a limited partnership
2-13 by:
2-14 (A) a general partner of the limited partnership;
2-15 (B) an employee of a general partner of the
2-16 limited partnership who negotiates the transaction in the course of
2-17 employment; or
2-18 (C) an employee of the limited partnership who
2-19 negotiates the transaction in the course of employment; or
2-20 (11) the sale, lease, or transfer of real estate owned
2-21 or leased by or being acquired by or leased to a limited liability
2-22 company by:
2-23 (A) a manager or managing member of the limited
2-24 liability company;
2-25 (B) an employee of a manager or managing member
2-26 of the limited liability company who negotiates the transaction in
2-27 the course of employment; or
2-28 (C) an employee or member of the limited
2-29 liability company who negotiates the transaction in the course of
2-30 employment.
2-31 SECTION 3. This Act takes effect immediately if it receives
2-32 a vote of two-thirds of all the members elected to each house, as
2-33 provided by Section 39, Article III, Texas Constitution. If this
2-34 Act does not receive the vote necessary for immediate effect, this
2-35 Act takes effect September 1, 2025.

2-36 * * * * *