

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

MAY 30, 2009
Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 963 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Whitmore
SEN. WHITMORE

SEN. CARONA

SEN. FRISVOLD

Jackson
SEN. JACKSON

Rita VandePutte
On the part of the Senate
SEN. VAN de PUTTE

Red Guillet
SEN. GUILLET

Senfonia Thompson
SEN. THOMPSON

Ray A. Madala
SEN. MADALA

Jim McQuinn
SEN. MCQUINN

John T. ...
On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 963

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain applicants for occupational licenses.

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

SECTION 1. Chapter 53, Occupations Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PRELIMINARY EVALUATION OF LICENSE ELIGIBILITY

Sec. 53.101. DEFINITIONS. In this subchapter:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority; and

(B) a person must obtain to practice or engage in a particular business, occupation, or profession.

(2) "Licensing authority" means a department, commission, board, office, or other agency of the state that issues a license.

Sec. 53.102. REQUEST FOR CRIMINAL HISTORY EVALUATION LETTER. (a) A person may request a licensing authority to issue a criminal history evaluation letter regarding the person's eligibility for a license issued by that authority if the person:

(1) is enrolled or planning to enroll in an educational program that prepares a person for an initial license or is planning to take an examination for an initial license; and

(2) has reason to believe that the person is

1 ineligible for the license due to a conviction or deferred
2 adjudication for a felony or misdemeanor offense.

3 (b) The request must state the basis for the person's
4 potential ineligibility.

5 Sec. 53.103. AUTHORITY TO INVESTIGATE. A licensing
6 authority has the same powers to investigate a request submitted
7 under this subchapter and the requestor's eligibility that the
8 authority has to investigate a person applying for a license.

9 Sec. 53.104. DETERMINATION OF ELIGIBILITY; LETTER. (a) If
10 a licensing authority determines that a ground for ineligibility
11 does not exist, the authority shall notify the requestor in writing
12 of the authority's determination on each ground of potential
13 ineligibility.

14 (b) If a licensing authority determines that the requestor
15 is ineligible for a license, the licensing authority shall issue a
16 letter setting out each basis for potential ineligibility and the
17 authority's determination as to eligibility. In the absence of new
18 evidence known to but not disclosed by the requestor or not
19 reasonably available to the licensing authority at the time the
20 letter is issued, the authority's ruling on the request determines
21 the requestor's eligibility with respect to the grounds for
22 potential ineligibility set out in the letter.

23 (c) A licensing authority must provide notice under
24 Subsection (a) or issue a letter under Subsection (b) not later than
25 the 90th day after the date the authority receives the request.

26 Sec. 53.105. FEES. A licensing authority may charge a
27 person requesting an evaluation under this subchapter a fee adopted

1 by the authority. Fees adopted by a licensing authority under this
2 subchapter must be in an amount sufficient to cover the cost of
3 administering this subchapter.

4 SECTION 2. Not later than September 1, 2010, a department,
5 commission, board, office, or other agency of the state that issues
6 a license to practice or engage in a particular business,
7 profession, or occupation shall adopt rules necessary to administer
8 Subchapter D, Chapter 53, Occupations Code, as added by this Act.

1 SECTION 3. Section 53.021(a), Occupations Code, is amended
2 to read as follows:

3 (a) A licensing authority may suspend or revoke a license,
4 disqualify a person from receiving a license, or deny to a
5 person the opportunity to take a licensing examination on the
6 grounds that the person has been convicted of:

7 (1) an offense [a felony or misdemeanor] that directly
8 relates to the duties and responsibilities of the licensed
9 occupation;

10 (2) an offense that does not directly relate to the
11 duties and responsibilities of the licensed occupation and that
12 was committed less than five years before the date the person
13 applies for the license;

14 (3) an offense listed in Section 3g, Article 42.12,
15 Code of Criminal Procedure; or

16 (4) a sexually violent offense, as defined by Article
17 62.001, Code of Criminal Procedure.

18 SECTION 4. Subchapter B, Chapter 53, Occupations Code, is
19 amended by adding Section 53.0211 to read as follows:

20 Sec. 53.0211. LICENSING OF CERTAIN APPLICANTS WITH PRIOR
21 CRIMINAL CONVICTIONS. (a) This section does not apply to an
22 applicant for a license that would allow the applicant to
23 provide:

24 (1) law enforcement services;

25 (2) public health, education, or safety services; or

26 (3) financial services in an industry regulated by the
27 securities commissioner, the banking commissioner, the savings

1 and mortgage lending commissioner, or the credit union
2 commissioner.

3 (b) Notwithstanding any law other than Subsection (a) and
4 unless the applicant has been convicted of an offense described
5 by Section 53.021(a), a licensing authority shall issue to an
6 otherwise qualified applicant who has been convicted of an
7 offense:

- 8 (1) the license for which the applicant applied; or
9 (2) a provisional license described by Subsection
10 (c).

11 (c) A licensing authority may issue a provisional license
12 for a term of six months to an applicant who has been convicted
13 of an offense.

14 (d) The licensing authority shall revoke a provisional
15 license if the provisional license holder:

- 16 (1) commits a new offense;
17 (2) commits an act or omission that causes the
18 person's community supervision, mandatory supervision, or parole
19 to be revoked, if applicable; or
20 (3) violates the law or rules governing the practice
21 of the occupation for which the provisional license is issued.

22 (e) The licensing authority shall issue the license for
23 which the applicant originally applied to a provisional license
24 holder on the expiration of the provisional license term if the
25 provisional license holder does not engage in conduct described
26 by Subsection (d).

27 (f) If the licensing authority revokes a provisional

1 license under Subsection (d), the provisional license holder is
2 disqualified from receiving the license for which the applicant
3 originally applied.

4 (g) An applicant who is on community supervision,
5 mandatory supervision, or parole and who is issued a provisional
6 license under this section shall provide to the licensing
7 authority the name and contact information of the probation or
8 parole department to which the person reports. The licensing
9 authority shall notify the probation or parole department that a
10 provisional license has been issued. The probation or parole
11 department shall notify the licensing authority if the person's
12 community supervision, mandatory supervision, or parole
13 supervision is revoked during the term of the provisional
14 license.

15 SECTION 5. The changes in law made by this Act by the
16 amendment of Section 53.021(a), Occupations Code, and the
17 addition of Section 53.0211, Occupations Code, apply only to an
18 application for a license filed with a licensing authority, to
19 which Chapter 53, Occupations Code, applies, on or after the
20 effective date of this Act. An application filed before that
21 date is governed by the law in effect when the application is
22 filed, and the former law is continued in effect for that
23 purpose.

24 SECTION 6. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house,
26 as provided by Section 39, Article III, Texas Constitution. If
27 this Act does not receive the vote necessary for immediate

effect, this Act takes effect September 1, 2009.

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HOUSE VERSION

No equivalent provision.

SENATE VERSION

SECTION __. Section 53.002, Occupations Code, is amended to read as follows:
Sec. 53.002. APPLICABILITY OF CHAPTER. This chapter does not apply to:
(1) the Supreme Court of Texas, a person licensed under the court's authority on behalf of the judicial department of government, or an applicant for a license issued under the court's authority on behalf of the judicial department of government;
(2) a peace officer or an applicant for a license as a peace officer described by Article 2.12, Code of Criminal Procedure, or to a reserve law enforcement officer, a county jailer, or a public security officer licensed or applying for a license under Chapter 1701;
[or]
(3) a person licensed or applying for a license under Chapter 1702;
(4) a person licensed or applying for a license issued by the Texas State Board of Public Accountancy;
(5) a person licensed or applying for a license under Chapter 156, Finance Code; or
(6) a person who:
(A) is licensed or is applying for a license issued by the Texas Medical [State] Board [~~of Medical Examiners~~], the Texas State Board of Pharmacy, the State Board of Dental Examiners, the Texas State Board of Examiners of Psychologists, the Texas Board of Nursing, the Texas Optometry Board, or the State Board of Veterinary Medical Examiners; and

CONFERENCE

Same as House version.

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(B) has been convicted of:
(i) a felony under Chapter 481 or 483 or Section 485.033, Health and Safety Code;
(ii) an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or
(iii) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

No equivalent provision.

SECTION __. Subsection (a), Section 53.021, Occupations Code, is amended to read as follows:
(a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation and that was committed less than five years before the date the person applies for the license.

SECTION 3. Same as Senate version except as follows:

(a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of:
(1) an offense [a felony or misdemeanor] that directly relates to the duties and responsibilities of the licensed occupation;
(2) an offense that does not directly relate to the duties and responsibilities of the licensed occupation and that was committed less than five years before the date the person applies for the license;
(3) an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or
(4) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

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No equivalent provision.

SECTION __. Subchapter B, Chapter 53, Occupations Code, is amended by adding Section 53.0211 to read as follows:

Sec. 53.0211. LICENSING OF CERTAIN APPLICANTS WITH PRIOR CRIMINAL CONVICTIONS.

(a) Notwithstanding any other law and unless the applicant has been convicted of an offense described by Section 53.021(a), a licensing authority shall issue to an otherwise qualified applicant who has been convicted of an offense:

- (1) the license for which the applicant applied; or
- (2) a provisional license described by Subsection (b).

(b) A licensing authority may issue a provisional license for a term of six months to an applicant who has been convicted of an offense.

(c) The licensing authority shall revoke a provisional license if the provisional license holder:

SECTION 4. Same as Senate version except as follows:

Sec. 53.0211. LICENSING OF CERTAIN APPLICANTS WITH PRIOR CRIMINAL CONVICTIONS. (a) This section does not apply to an applicant for a license that would allow the applicant to provide:

- (1) law enforcement services;
- (2) public health, education, or safety services; or
- (3) financial services in an industry regulated by the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, or the credit union commissioner.

(b) Notwithstanding any law other than Subsection (a) and unless the applicant has been convicted of an offense described by Section 53.021(a), a licensing authority shall issue to an otherwise qualified applicant who has been convicted of an offense:

- (1) the license for which the applicant applied; or
- (2) a provisional license described by Subsection (c).

(c) A licensing authority may issue a provisional license for a term of six months to an applicant who has been convicted of an offense.

(d) The licensing authority shall revoke a provisional license if the provisional license holder:

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(1) commits a new offense;
(2) commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, if applicable; or
(3) violates the law or rules governing the practice of the occupation for which the provisional license is issued.
(d) The licensing authority shall issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if the provisional license holder does not engage in conduct described by Subsection (c).
(e) If the licensing authority revokes a provisional license under Subsection (c), the provisional license holder is disqualified from receiving the license for which the applicant originally applied.
(f) An applicant who is on community supervision, mandatory supervision, or parole and who is issued a provisional license under this section shall provide to the licensing authority the name and contact information of the probation or parole department to which the person reports. The licensing authority shall notify the probation or parole department that a provisional license has been issued. The probation or parole department shall notify the licensing authority if the person's community supervision, mandatory supervision, or parole supervision is revoked during the term of the provisional license.

(1) commits a new offense;
(2) commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, if applicable; or
(3) violates the law or rules governing the practice of the occupation for which the provisional license is issued.
(e) The licensing authority shall issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if the provisional license holder does not engage in conduct described by Subsection (d).
(f) If the licensing authority revokes a provisional license under Subsection (d), the provisional license holder is disqualified from receiving the license for which the applicant originally applied.
(g) An applicant who is on community supervision, mandatory supervision, or parole and who is issued a provisional license under this section shall provide to the licensing authority the name and contact information of the probation or parole department to which the person reports. The licensing authority shall notify the probation or parole department that a provisional license has been issued. The probation or parole department shall notify the licensing authority if the person's community supervision, mandatory supervision, or parole supervision is revoked during the term of the provisional license.

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HOUSE VERSION

No equivalent provision.

SECTION 1. Chapter 53, Occupations Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PRELIMINARY EVALUATION OF LICENSE ELIGIBILITY

Sec. 53.101. DEFINITIONS. In this subchapter:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority; and

(B) a person must obtain to practice or engage in a particular business, occupation, or profession.

(2) "Licensing authority" means a department, commission, board, office, or other agency of the state that issues a license.

Sec. 53.102. REQUEST FOR CRIMINAL HISTORY EVALUATION LETTER. (a) A person may request a licensing authority to issue a criminal history evaluation letter regarding the person's eligibility for a license

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SECTION __. The changes in law made by this Act by the amendment of Sections 53.002 and 53.021(a), Occupations Code, and the addition of Section 53.0211, Occupations Code, apply only to an application for a license filed with a licensing authority, to which Chapter 53, Occupations Code, applies, on or after the effective date of this Act. An application filed before that date is governed by the law in effect when the application is filed, and the former law is continued in effect for that purpose.

Same as House version.

CONFERENCE

SECTION 5. Same as Senate version except removes Section 53.002, Occupations Code.

SECTION 1. Same as House version.

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issued by that authority if the person:

(1) is enrolled or planning to enroll in an educational program that prepares a person for an initial license or is planning to take an examination for an initial license; and
(2) has reason to believe that the person is ineligible for the license due to a conviction or deferred adjudication for a felony or misdemeanor offense.

(b) The request must state the basis for the person's potential ineligibility.

Sec. 53.103. AUTHORITY TO INVESTIGATE. A licensing authority has the same powers to investigate a request submitted under this subchapter and the requestor's eligibility that the authority has to investigate a person applying for a license.

Sec. 53.104. DETERMINATION OF ELIGIBILITY; LETTER. (a) If a licensing authority determines that a ground for ineligibility does not exist, the authority shall notify the requestor in writing of the authority's determination on each ground of potential ineligibility.

(b) If a licensing authority determines that the requestor is ineligible for a license, the licensing authority shall issue a letter setting out each basis for potential ineligibility and the authority's determination as to eligibility. In the absence of new evidence known to but not disclosed by the requestor or not reasonably available to the licensing authority at the time the letter is issued, the authority's ruling on the request determines the requestor's eligibility with respect to the grounds for potential ineligibility set out in the letter.

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(c) A licensing authority must provide notice under Subsection (a) or issue a letter under Subsection (b) not later than the 90th day after the date the authority receives the request.

Sec. 53.105. FEES. A licensing authority may charge a person requesting an evaluation under this subchapter a fee adopted by the authority. Fees adopted by a licensing authority under this subchapter must be in an amount sufficient to cover the cost of administering this subchapter.

No equivalent provision.

SECTION __. (a) The heading to Chapter 55, Occupations Code, is amended to read as follows:
Chapter 55. LICENSING OF [RENEWAL OF LICENSE WHILE ON] MILITARY MEMBER OR MILITARY SPOUSE [DUTY]

Same as House version.

No equivalent provision.

SECTION 2. Chapter 55, Occupations Code, is amended by adding Section 55.004 to read as follows:
Sec. 55.004. TEMPORARY LICENSE. (a) In this section, "military" means the armed forces of the United States.
(b) A state agency that issues a license shall adopt rules for the expedited issuance of a temporary license to an applicant who:
(1) is serving on active duty as a member of the military;
(2) was honorably discharged from active duty as a

Same as House version.

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member of the military not more than one year before the date of the application; or
(3) is the spouse of a person who is serving on active duty as a member of the military.
(c) The state agency shall issue the temporary license under this section to a qualified applicant who:
(1) submits an application on a form prescribed by the agency; and
(2) pays the required fees.

SECTION 2. Not later than January 1, 2010, a department, commission, board, office, or other agency of the state that issues a license to practice or engage in a particular business, profession, or occupation shall adopt rules necessary to administer Subchapter D, Chapter 53, Occupations Code, as added by this Act.

SECTION 2. Not later than September 1, 2010, a department, commission, board, office, or other agency of the state that issues a license to practice or engage in a particular business, profession, or occupation shall adopt rules necessary to administer Subchapter D, Chapter 53, Occupations Code, as added by this Act.

SECTION 2. Same as Senate version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Same as House version.

SECTION 6. Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB963 by Guillen (Relating to the eligibility of certain applicants for occupational licenses.), Conference Committee Report

Estimated Two-year Net Impact to General Revenue Related Funds for HB963, Conference Committee Report: an impact of \$0 through the biennium ending August 31, 2011.

This bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund ¹	Probable Revenue Gain/(Loss) from General Revenue Fund ¹	Change in Number of State Employees from FY 2009
2010	(\$1,597,869)	\$1,597,869	16.5
2011	(\$1,041,262)	\$1,041,262	16.5
2012	(\$986,419)	\$986,419	16.5
2013	(\$960,419)	\$960,419	16.5
2014	(\$961,634)	\$961,634	16.5

Fiscal Analysis

The bill would allow a person enrolled or planning to enroll in an educational program in preparation for a state-issued license, or planning to take an examination for a state-issued license, who has reason to believe that the person may be ineligible for a license, to request from that licensing agency a criminal history evaluation letter to determine the person's eligibility for the license. The licensing agency would be required to determine the person's eligibility based on criminal history background checks and to respond to the person's request within 90 days.

The bill would authorize licensing agencies to charge and collect a fee in an amount sufficient to cover the costs of the administration of the provisions of this bill. The bill would require the licensing

agencies to adopt rules necessary to administer the provisions of the bill no later than September 1, 2010.

The bill would amend the Occupations Code to allow various licensing authorities to provide licenses or provisional licenses to applicants who have had certain previous criminal convictions. The bill would exclude any applicant for a license that would allow the applicant to provide law enforcement services, public health, education, or safety services, or financial services from Section 53.0211, Occupations Code, which would authorize a license or provisional license to be issued to applicants with certain previous criminal convictions. The bill would authorize a licensing agency to revoke the provisional license if the provisional license holder commits a new offense, commits an act or omission that causes the person's community supervision, mandatory supervision, or parole to be revoked, or violates the law or rules governing the practice of the occupation for which the license is issued. The bill requires the licensing authority to notify the probation or parole department that a provisional license has been issued. The bill requires the licensing authority to issue the license for which the applicant originally applied to a provisional license holder on the expiration of the provisional license term if there are no violations.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If not, the bill would take effect September 1, 2009.

Methodology

According to the analysis of the Board of Podiatric Medical Examiners, the Texas State Board of Dental Examiners, the Department of Banking, the Real Estate Commission, the Executive Council of Physical Therapy & Occupational Therapy Examiners, the Board of Public Accountancy, the Funeral Service Commission, the Texas Board of Nursing, the Comptroller of Public Accounts, the Department of Savings and Mortgage Lending, the Board of Plumbing Examiners, the Department of Public Safety, and the Department of Insurance, these agencies would be able to absorb the costs of implementing the bill within the existing resources of the agency.

The Board of Chiropractic Examiners, the Texas Medical Board, the Optometry Board, the Department of Licensing and Regulation, the Board of Examiners of Psychologists, and the Texas State Board of Pharmacy estimate increased costs for additional FTEs to implement the provisions of the bill. The calculations of these agencies are based on the number of licensees, the percent of existing licensee population with criminal histories, and the licensees required to take exams or enroll in an education program to become eligible for the license.

The Texas Education Agency (TEA) anticipates 50,000 to 60,000 requests each year for the eligibility letters. Based on the analysis of the agency, this would result in a significant increase in the number of investigations conducted and would require a new software system to track the receipt of requests for determination and the disposition of letters within 90 days of receipt of the request. TEA anticipates needing an additional 3.0 administrative assistants and 3.0 customer service representatives to verify the receipt of requests and ensure responses within 90 days. TEA also anticipates needing an additional 5.0 investigators to conduct investigations of the positive criminal history records of applicants. For the purposes of this estimate, it is assumed that the majority of educator certification candidates enrolled in educator preparation programs would submit a request for a criminal history evaluation letter. To the extent that a smaller proportion of that population actually submits requests, the cost and personnel requirements may be reduced.

This analysis assumes each agency would assess and collect fees for supplying the criminal history background check eligibility letter to cover the cost of implementing the provisions of the bill.

This analysis assumes that any increased costs to agencies which are statutorily required to generate sufficient revenue to cover their costs of operation would be offset by an increase in fee generated revenue.

Technology

Based on the analysis of the Texas State Board of Pharmacy, the Board of Chiropractic Examiners and

the Board of Examiners of Psychologists, it is assumed that their computer systems would necessitate upgrades to accommodate the new applications authorized by the bill. The costs for upgrades and modifications to the computer systems in Fiscal Year (FY) 2010 would cost \$8,139 for the Board of Pharmacy, \$13,000 for the Board of Chiropractic Examiners, and \$3,500 for the Board of Examiners of Psychologists.

Based on the analysis of TEA, the agency would be required to develop new software to serve the population of individuals that would otherwise not be in either the TEA or State Board for Educator Certification systems. The system would track receipts of requests for determination of eligibility and disposition of the requests within 90 days of receipt. The estimated costs of developing and maintaining the system are \$510,000 in FY 2010, \$112,000 in FY 2011, \$56,000 in 2012, and \$30,000 each subsequent year.

Based on information provided by the Board of Professional Land Surveyors, it is assumed that implementing the provisions of the bill would require modifying database for the provisional license status at a cost of \$4,000 in fiscal year 2010.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 312 Securities Board, 329 Real Estate Commission, 405 Department of Public Safety, 450 Department of Savings and Mortgage Lending, 451 Department of Banking, 452 Department of Licensing and Regulation, 454 Department of Insurance, 456 Board of Plumbing Examiners, 457 Board of Public Accountancy, 464 Board of Professional Land Surveying, 503 Texas Medical Board, 504 Texas State Board of Dental Examiners, 507 Texas Board of Nursing, 508 Board of Chiropractic Examiners, 512 Board of Podiatric Medical Examiners, 513 Funeral Service Commission, 514 Optometry Board, 515 Board of Pharmacy, 520 Board of Examiners of Psychologists, 533 Executive Council of Physical Therapy & Occupational Therapy Examiners, 701 Central Education Agency

LBB Staff: JOB, ES, JRO, MW

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 913 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

J. A. Guilled
(name)

5/30/09
(date)