

1 AN ACT

2 relating to membership of certain advisory bodies to the Texas
3 Department of Licensing and Regulation.

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

5 SECTION 1. Sections 755.011(b) and (c), Health and Safety
6 Code, are amended to read as follows:

7 (b) The board is composed of the following 11 [~~nine~~] members
8 appointed by the presiding officer of the commission, with the
9 commission's approval:

10 (1) three members representing persons who own or use
11 boilers in this state;

12 (2) three members representing companies that insure
13 boilers in this state;

14 (3) one member representing boiler manufacturers or
15 installers;

16 (4) one member representing organizations that repair
17 or alter boilers in this state; [~~and~~]

18 (5) one member representing a labor union; and

19 (6) two public members.

20 (c) All members except the members appointed under
21 Subsection (b)(6) [~~A member~~] must have experience with boilers. To
22 the extent possible, at least four members should be professional
23 engineers registered in this state.

24 SECTION 2. Section 1152.102, Occupations Code, is amended

1 by amending Subsections (a) and (c) and adding Subsection (d) to
2 read as follows:

3 (a) The council is composed of seven [~~six~~] members appointed
4 by the presiding officer of the commission, with the commission's
5 approval.

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

8 (1) be a registered senior property tax consultant;

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

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

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

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

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

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

25 (d) One member of the council must be a public member.

26 SECTION 3. Section 1302.201, Occupations Code, is amended
27 to read as follows:

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

7 SECTION 4. Section 1602.051(a), Occupations Code, is
8 amended to read as follows:

9 (a) The Advisory Board on Cosmetology consists of seven
10 [~~five~~] members appointed by the presiding officer of the
11 commission, with the commission's approval, as follows:

12 (1) one member who holds a license for a beauty shop
13 that is part of a chain of beauty shops;

14 (2) one member who holds a license for a beauty shop
15 that is not part of a chain of beauty shops;

16 (3) one member who holds a private beauty culture
17 school license; [~~and~~]

18 (4) two members who each hold an operator license;

19 (5) one member who represents a licensed public
20 secondary or postsecondary beauty culture school; and

21 (6) one public member.

22 SECTION 5. Section 1802.102(a), Occupations Code, is
23 amended to read as follows:

24 (a) The advisory board consists of seven [~~five~~] members
25 appointed as follows:

26 (1) three members who are licensed auctioneers
27 appointed by the presiding officer of the commission, with the

1 commission's approval;

2 (2) the executive director of the Texas [~~Department~~
3 ~~of~~] Economic Development and Tourism Office or the director's
4 designee; [~~and~~]

5 (3) the commissioner of education or the
6 commissioner's designee; and

7 (4) two public members.

8 SECTION 6. Section 1802.105, Occupations Code, is amended
9 to read as follows:

10 Sec. 1802.105. REMOVAL. A member appointed under Section
11 1802.102(a)(1) may be removed by a six-sevenths [~~four-fifths~~]
12 of the advisory board.

13 SECTION 7. Section 2308.051(a), Occupations Code, is
14 amended to read as follows:

15 (a) The advisory board consists of the following members
16 appointed by the presiding officer of the commission with the
17 approval of the commission:

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

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

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

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

26 (5) one parking facility owner;

27 (6) one law enforcement officer from a county with a

1 population of less than one million;

2 (7) one law enforcement officer from a county with a
3 population of one million or more; ~~and~~

4 (8) one representative of property and casualty
5 insurers who write automobile insurance in this state; and

6 (9) one public member.

7 SECTION 8. The presiding officer of the Texas Commission of
8 Licensing and Regulation shall appoint the public members of the
9 advisory bodies to the Texas Department of Licensing and
10 Regulation, as required by this Act, not later than December 1,
11 2009.

12 SECTION 9. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2548 was passed by the House on May 7, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2548 was passed by the Senate on May 21, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor