By _____ SB. No. 1219

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of the practice of professional sanitarians; providing a penalty.

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

SECTION 1. Sections 2(a) and (b), Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), are amended to read as follows:

(a) The term "field of environmental sanitation" means the application of [~~study, art, and technique of applying~~] scientific knowledge to control environmental hazards and to preserve and improve environmental factors for the achievement of the optimum [~~for the improvement of the environment of man for his~~] health, safety, comfort, and well-being of humans [~~and welfare~~].

(b) The term "sanitarian" means a person qualified by education and experience in basic and applied sciences to engage in the field of environmental sanitation to protect human health and the environment through education, design, implementation, inspection, and enforcement [~~trained in the field of sanitary science to carry out educational and inspectional duties in the field of environmental sanitation~~].

SECTION 2. Section 5, Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) The Board, upon application on the form prescribed by it[,] and upon the payment of a registration fee set by the Board [~~of---Ten---Dollars---($10.00)~~,] shall issue a certificate of registration as a professional sanitarian to any person who has the qualifications stipulated under the provisions of this Act[,] and who submits evidence by passing a written examination prescribed by the Board satisfactory to the Board that the applicant is qualified under the provisions of this Act. In evaluating the evidence submitted to it, the Board shall carefully consider the applicant's knowledge and understanding of the principles of sanitation and [,] the physical, biological, and social sciences.

(b) Any person who applies for registration shall have had not less than two years [~~one-(1)-year~~] of full time experience in the field of environmental sanitation and shall have completed training in the basic sciences and/or public health to the extent deemed necessary by the Board in order to effectively serve as a registered sanitarian. The educational requirements set forth by the Board shall include the requirement that an applicant have graduated from an accredited college or university with at least a bachelor's degree that includes at least 30 semester hours in basic or applied science [~~not-be-at--variance--with--the--definition--for Sanitarian--set--forth-by-the-Position-Classification-Act-of-1961~~]. Other qualifications may be established by the Board in accordance with the rules and regulations adopted under this Act. Persons employed in the field of environmental sanitation who meet all qualifications for registration as a professional sanitarian, except the qualifications of experience, shall, upon the approval

by the Board and after payment of a registration fee prescribed by the Board for a sanitarian in training [~~of Five Dollars ($5.00)~~] and [~~by~~] passing a written examination prescribed by the Board, be granted a certificate of Sanitarian in Training. This certificate shall remain in effect unless revoked by the Board for a period not to exceed two years [~~one (1) year~~] after date of issue.

(e) An applicant under this section must pay an examination fee prescribed by the Board to take a license examination administered under this Act.

SECTION 3. Section 6, Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 6. RENEWAL OF CERTIFICATES; FEE; DELINQUENCY AND REINSTATEMENT. Every professional sanitarian registered under the provisions of this Act who desires to actively continue in the field of environmental sanitation shall annually pay to the Board a renewal fee prescribed [~~to be fixed~~] by the Board and provide proof of completion of continuing education contact hours as established by the Board [~~for the annual renewal of each license, but the fee for renewal of license shall not be fixed in excess of Ten Dollars ($10.00)~~]. Certificates of registration revoked for failure to pay renewal fees shall be reinstated under the rules and regulations of the Board.

SECTION 4. Section 8(a), Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The Board shall:

(1) issue regulations consistent with the provisions of this Act for the administration and enforcement of this Act;

(2) prescribe fees under this Act;

(3) administer the continuing education requirements of this Act; and

(4) [~~shall~~] prescribe forms which shall be issued in connection therewith.

SECTION 5. Section 12, Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 12. REGISTRATION REQUIRED; OFFENSES. (a) A [~~After six (6) months from the effective date of this Act, no~~] person engaging or offering to engage in work in the field of environmental sanitation[~~,~~] in this state may not [~~shall~~] represent himself to be a sanitarian, or use any title containing the word "sanitarian," unless he is a registrant in good standing with the Board, either as a registered professional sanitarian or as a sanitarian in training.

(b) A person commits an offense if the person [~~Any person who~~] violates any provisions of this Section.

(c) An offense under Subsection (b) of this Section is a Class C [~~shall be guilty of a~~] misdemeanor [~~and shall be fined not less than Ten Dollars ($10.00) nor more than Two Hundred Dollars ($200.00)~~].

SECTION 6. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 1999.

(b) The change in law made by this Act to the educational

requirements for registration as a professional sanitarian under Section 5(b), Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), takes effect September 1, 2001.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

S.B. No. 1219 By [signature]

A BILL TO BE ENTITLED

AN ACT:

Relating to the regulation of the practice of professional sanitarians; providing a penalty.

MAR 11 1999 Filed with the Secretary of the Senate

MAR 11 1999 Read and referred to Committee on HEALTH SERVICES

_____ Reported favorably _____

_____ Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ Ordered not printed

_____ Laid before the Senate

_____ Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent / ____ yeas, ____ nays

_____ Read second time, _____, and ordered engrossed by: { unanimous consent / a viva voce vote / ____ yeas, ____ nays

_____ Senate and Constitutional 3 Day Rule suspended by a vote of ____ yeas, ____ nays.

_____ Read third time, _____, and passed by: { A viva voce vote / ____ yeas, ____ nays

_____
SECRETARY OF THE SENATE

OTHER ACTION:

_____ Engrossed

_____ Sent to House

Engrossing Clerk _____

_____ Received from the Senate

_____ Read first time and referred to Committee on _____

_____ Reported ____favorably (as amended) (as substituted)

_____ Sent to Committee on (Calendars) (Local & Consent Calendars)

_____ Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of ____ yeas, ____ nays, ____ present, not voting)

_____ Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of ____ yeas, ____ nays, ____ present, not voting.

_____ Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of ____ yeas, ____ nays, ____ present, not voting)

_____ Returned to Senate.

_____
CHIEF CLERK OF THE HOUSE

_____ Returned from House without amendment.

_____ Returned from House with ____ amendments.

_____ Concurred in House amendments by a viva voce vote ____ yeas, ____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____

_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____ , Chairman;

_____ , _____ , _____ .

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
{ _____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
{ _____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
{ _____ yeas, _____ nays