

BILL ANALYSIS

C.S.H.B. 2233
By: White
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been reported that Texas leads the nation in the amount of restrictions on individuals with felony convictions who work in licensed occupations. C.S.H.B. 2233 seeks to address this issue by implementing certain recommendations made by each licensing authority that has an eligibility requirement relating to an applicant's criminal history.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2233 amends the Occupations Code to remove a person's conviction of a felony or a crime that involves moral turpitude from the grounds on which the Texas Commission of Licensing and Regulation (TCLR) or the Texas Department of Licensing and Regulation (TDLR) may refuse to admit a person to an examination and to issue a license to practice podiatry.

C.S.H.B. 2233 removes a person's conviction of a misdemeanor involving moral turpitude or a felony from the grounds on which TCLR or the executive director of TDLR may discipline a licensed midwife, refuse to renew a midwife's license, or refuse to issue a license to an applicant.

C.S.H.B. 2233 revises the manner in which a dog or cat breeder license is revoked by establishing that such a license is revoked by the operation of law if, after the license is issued, the person or a controlling person of a dog or cat breeder pleads guilty or nolo contendere to, is convicted of, or receives deferred adjudication for animal cruelty or neglect in Texas or any other jurisdiction. The bill specifies that a plea of nolo contendere is grounds for TDLR to deny or refuse to renew a dog or cat breeder license.

C.S.H.B. 2233 removes the requirement that an applicant for an electrician license demonstrate the applicant's honesty, trustworthiness, and integrity.

C.S.H.B. 2233 removes from the eligibility requirements for an auctioneer's license that an individual has not been convicted of a felony during the five years preceding the date of application.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2233 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions setting out the procedure for the required revocation of a dog or cat breeder license for certain offenses but includes a provision instead establishing that the license is revoked by the operation of law under certain conditions.