

BILL ANALYSIS

C.S.H.B. 2452
By: Goldman
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that the Texas Department of Licensing and Regulation (TDLR) investigates a high volume of complaints each year and that many investigations require technical and specific program knowledge to fully understand and resolve the complaints. It has been suggested that the TDLR complaint review process could benefit from the assistance of qualified third-party experts. C.S.H.B. 2452 seeks to provide for such assistance by authorizing TDLR to contract with a qualified individual to provide complaint review services.

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. 2452 amends the Occupations Code to authorize the Texas Department of Licensing and Regulation (TDLR) to contract with a qualified individual to assist TDLR with reviewing or investigating complaints filed with TDLR. The bill grants an individual with whom TDLR so contracts immunity from liability and prohibits such an individual from being subject to a suit for damages for any act arising from the performance of the individual's duties in specified circumstances, except for an act of the individual involving fraud, conspiracy, or malice. The bill authorizes TDLR to accept, but expressly does not require TDLR to investigate, a complaint that lacks sufficient information to identify the source or the name of the person who filed the complaint.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2452 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.