

SUBJECT: Revising provisions on TDLR and TCLR operations

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 10 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, T. King, Patterson, Schaefer, Shaheen

0 nays

1 absent — S. Thompson

WITNESSES: For — (*Registered, but did not testify*: Rod Bordelon, Texas Public Policy Foundation)

Against — None

On — (*Registered, but did not testify*: Steve Bruno, Texas Department of Licensing and Regulation)

BACKGROUND: Some have suggested that state law governing the operations of TDLR is in need of certain clarifications and updates for provisions, including fee-setting authority and the agency's sunset date.

DIGEST: HB 3743 would specify that The Texas Commission of Licensing and Regulation (TCLR) and TDLR are subject to the Texas Sunset Act, and unless continued in existence as provided by that Act, TCLR and TDLR would be abolished September 1, 2033.

HB 3743 would remove the provision that a fee set by TCLR for a program or activity administered by TDLR that was not explicitly listed in statute must be authorized.

TDLR could accept a license application from an inmate imprisoned in the Texas Department of Criminal Justice. TDLR could not issue the license until the applicant was released. The bill would not limit the TDLR's ability to determine or verify the applicant's eligibility for the license or to

issue a provisional or restricted license in accordance with another law.

HB 3743 would allow TCLR by rule to require an applicant, license holder, or other person who regularly received correspondence from TDLR to provide an e-mail address to TDLR for purposes of receiving correspondence.

The bill would exempt an advisory board established to advise TCLR or TDLR from certain Government Code provisions for state agency advisory committees.

The bill would take effect September 1, 2023.