CHAPTER 400

H.B. No. 1783

AN ACT

relating to the Internet broadcasting of Public Utility Commission of Texas and ERCOT public hearings and meetings.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter E, Chapter 12, Utilities Code, is amended by adding Section 12.204 to read as follows:

Sec. 12.204. INTERNET FOR HEARINGS AND MEETINGS. The commission shall make publicly accessible without charge live Internet video of all public hearings and meetings the commission holds for viewing from the Internet website found at http://www.puc.state.tx.us. The commission may recover the costs of administering this section by imposing an assessment against a:

(1) public utility;
(2) corporation described by Section 32.053;
(3) retail electric provider that serves more than 250,000 customers; or
(4) power generation company that owns more than 5,000 megawatts of installed capacity in this state.

SECTION 2. Section 39.1511, Utilities Code, is amended by adding Subsection (c) to read as follows:

(c) The commission shall ensure that an independent organization certified under Section 39.151 makes publicly accessible without charge live Internet video of all public meetings subject to this section for viewing from an Internet website.

SECTION 3. The change in law made by this Act applies to a hearing or meeting held on or after the effective date of this Act. A hearing or meeting held before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2009.

Passed by the House on April 21, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 401

H.B. No. 1785

AN ACT

relating to the licensing of occupational therapists.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 454.204, Occupations Code, is amended to read as follows:

Sec. 454.204. EDUCATIONAL REQUIREMENTS. To satisfy Section 454.203(a)(1):

(1) an applicant applying for an occupational therapist license must have, from a program approved by the Accreditation Council for Occupational Therapy Education, its predecessor organization, or another national credentialing agency approved by the board:

(A) a baccalaureate degree in occupational therapy, if the applicant graduated before January 1, 2007;
(B) a certificate evidencing successful completion of required undergraduate occupational therapy course work awarded to persons with a baccalaureate degree that is not in occupational therapy, if the applicant graduated before January 1, 2007; or

(C) a postbaccalaureate [postgraduate] degree in occupational therapy; and

(2) an applicant applying for an occupational therapy assistant license must have:

(A) an associate degree in occupational therapy; or

(B) an occupational therapy assistant certificate.

SECTION 2. Sections 454.252(b) and (c), Occupations Code, are amended to read as follows:

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the executive council the renewal fee and a late fee set by the executive council that may not exceed [is equal to] one-half of the examination fee for the license. If a person's license has been expired for more than 90 days but less than one year, the person may renew the license by paying to the executive council all unpaid renewal fees and a late fee set by the executive council that may not exceed [is equal to] the amount charged for examination for the license.

(c) A person whose license has been expired for one year or longer must comply with the board's requirements and procedures to reinstate the license, and pay a reinstatement fee set by the executive council [may not renew the license]. If the board requirements cannot be met, the [The] person may obtain a new license by submitting to reexamination and complying with the requirements and procedures for obtaining an original license.

SECTION 3. Section 454.253, Occupations Code, is amended to read as follows:

Sec. 454.253. RENEWAL OF EXPIRED LICENSE BY OUT-OF-STATE PRACTITIONER. (a) The board may renew without reexamination the expired license of a person who was licensed to practice as an occupational therapist or occupational therapy assistant in this state, moved to another state, [and] is currently licensed and in good standing [has been in practice] in the other state, and meets the board's requirements [for the two years preceding application].

(b) The person must pay to the executive council a renewal fee set by the executive council in an amount that may not exceed [equal to] the examination fee for the license.

SECTION 4. Section 454.254(d), Occupations Code, is amended to read as follows:

(d) In adopting rules under Subsection (a)(3), the board may authorize license holder peer organizations in this state to evaluate and approve continuing education courses in accordance with the board’s evaluation and approval process. [The board may not adopt rules implementing this subsection after January 1, 2003.]

SECTION 5. The changes in law made by this Act apply only to license applications and renewals filed on or after the effective date of this Act. A license application or renewal filed before the effective date of this Act is governed by the law in effect at the time the application or renewal was filed, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on April 9, 2009: Yeas 148, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.