

BILL ANALYSIS

Senate Research Center

H.B. 814
By: Danburg (Ellis)
State Affairs
5-12-97
Engrossed

DIGEST

Although long recognized by principles of usage and rules of construction, the use of masculine pronouns to refer to both sexes has been criticized in recent years as constituting subtle sex discrimination. In the Real Estate Licensing Act, principal individuals who are regulated by the Texas Real Estate Commission are identified as either a "broker" or "real estate salesman." H.B. 814 would make nonsubstantive revisions to the Real Estate Licensing Act to remove gender specific language.

PURPOSE

As proposed, H.B. 814 outlines provisions regarding the title of certain persons licensed to sell real estate.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1(b)-(e), Article 6573a, V.T.C.S. (The Real Estate License Act), to make changes to inclusive language.

SECTION 2. Amends Section 2(4), Article 6573a, V.T.C.S., to define "real estate salesperson or salesman."

SECTION 3. Amends Section 3, Article 6573a, V.T.C.S., to make changes to inclusive language.

SECTION 4. Amends Section 4, Article 6573a, V.T.C.S., to make a change to inclusive language.

SECTION 5. Amends Sections 5(a), (f), (g), (i), and (m), Article 6573a, V.T.C.S., to make changes to inclusive language.

SECTION 6. Amends Sections 6(a) and (b), Article 6573a, V.T.C.S., to make changes to inclusive language.

SECTION 7. Amends Section 6A(a), Article 6573a, V.T.C.S., to make a change to inclusive language.

SECTION 8. Amends Sections 7(a), (c)-(e), (g), and (h), Article 6573a, V.T.C.S., to make changes to inclusive language.

SECTION 9. Amends Sections 7A(a)-(c), Article 6573a, V.T.C.S., to make changes to inclusive language.

SECTION 10. Amends Sections 8(a)-(f), (h), (i), (l), (n), and (q), to make changes to inclusive language.

SECTION 11. Amends Sections 9(a), (b), and (e), Article 6573a, V.T.C.S., to make changes to inclusive language.

- SECTION 12. Amends Section 10(a), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 13. Amends Section 11, Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 14. Amends Sections 12(a), (b), and (d), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 15. Amends Section 13, Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 16. Amends Section 13A(a), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 17. Amends Section 14, Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 18. Amends Sections 15(a) and (d), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 19. Amends Sections 15C(m)(3), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 20. Amends Section 15D, Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 21. Amends Sections 16(a), (b), (d), and (e), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 22. Amends Section 17(a), Article 6573a, V.T.C.S., to make a change to inclusive language. Makes a standard recodification change.
- SECTION 23. Amends Section 18A(a), Article 6573a, V.T.C.S., to make a conforming change.
- SECTION 24. Amends Section 18B(a), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 25. Amends Sections 19(a) and (b), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 26. Amends Section 19A(o), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 27. Amends Section 20, Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 28. Amends Sections 23(b)(2), (5), and (9), Article 6573a, V.T.C.S., to make changes to inclusive language.
- SECTION 29. Amends Section 23(l), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 30. Amends Section 24(b), Article 6573a, V.T.C.S., to make a change to inclusive language.
- SECTION 31. (a) Effective date: September 1, 1997.

(b) Provides that the change made in this Act in the title of a person licensed to sell real estate does not affect the validity of a license issued or an act performed before the effective date of this Act.

(c) Defines "real estate salesperson" and "real estate salesman" and provides that both terms may be used under Article 6573a, V.T.C.S. (The Real Estate License Act) until January 1, 1999. Provides that not later than January 1, 1999, the Texas Real Estate Commission shall adopt new forms, licenses, rules, and other documents that only use the term "real estate salesperson."

SECTION 32. Emergency clause.