

## **BILL ANALYSIS**

Senate Research Center

H.B. 3155  
By: Wolens (Harris)  
Administration  
4/29/1999  
Engrossed

### **DIGEST**

The Texas Legislative Council is required by law (Section 323.007, Government Code) to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law if practicable--all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

The proposed Occupations Code is a nonsubstantive revision of provisions of the existing statutes applicable to the licensing and regulation of certain professions and business practices, including the health professions, law enforcement and security professions, and certain sales activities, and to the operation and regulation of the gaming, sports, arts, and entertainment industries. The proposed code also codifies the statutes that govern the various state agencies and other entities that regulate the specific professions and occupations.

The proposed Occupations Code is a nonsubstantive revision of Texas law. The substance of the law has not been altered. The sole purpose of the code is to compile the relevant law, arrange it in a logical fashion, and rewrite it without altering its meaning or legal effect. If a particular source statute is ambiguous and the ambiguity cannot be resolved without a potential substantive effect, the ambiguity is preserved. H.B. 3155 would create the Occupations Code.

### **PURPOSE**

As proposed, H.B. 3155 creates the Occupations Code, a nonsubstantive revision of Texas law.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Adopts the Occupations Code, a nonsubstantive revision of provisions of the existing statutes applicable to the licensing and regulation of certain professions and business practices, including the health professions, law enforcement and security professions, and certain sales activities, and to the operation and regulation of the gaming, sports, arts, and entertainment industries.

SECTION 2. Conforming amendment to the Education Code, adding V.A.C.S. Article 8892 as Chapter 88I, Education Code.

SECTION 3. Conforming amendment to the Education Code, necessary to conform Section 411.119, Government Code, with proposed Chapter 1702, Occupations Code.

SECTION 4. Conforming amendment to the Health and Safety Code, adding Section 1, V.A.C.S. Article 4528a, as Section 122.008, Health and Safety Code.

SECTION 5. Conforming amendment to the Health and Safety Code, adding Section 4.011, V.A.C.S. Article 4495b, as Chapter 170, Health and Safety Code.

SECTION 6. Repeals laws that are revised in the bill. Repeals laws that are obsolete or expired or that

have been previously impliedly repealed.

SECTION 7. States legislative intent to recodify only.

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.