

BILL ANALYSIS

Senate Research Center
76R7599 KKA-D

H.B. 3740
By: Greenberg (Zaffirini)
Human Services
5/10/1999
Engrossed

DIGEST

Currently, contested cases regarding the Texas Department of Protective and Regulatory Services (DPRS) must be held at the State Office of Administrative Hearings (SOAH). SOAH rules require DPRS hearings conducted by SOAH to be held in Austin. DPRS rules indicate that hearings will be held in the region where the contested decision occurred, but SOAH rules override DPRS rules. H.B. 3740 would establish that DPRS contested case hearings will be held in DPRS's administrative region where the conduct in question occurred.

PURPOSE

As proposed, H.B. 3740 allows the location of administrative hearings conducted by the State Office of Administrative Hearings on behalf of the Texas Department of Protective and Regulatory Services (DPRS) to be held in DPRS's administrative region.

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 Section 40.066, Human Resources Code, by adding Subsection (f), to require a hearing conducted by the State Office of Administrative Hearings on behalf of the Texas Department of Protective and Regulatory Services (DPRS) under this section to be held in the DPRS's administrative region in which the conduct at issue in the case occurred, unless otherwise agreed by all parties to a contested case.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.