

## **BILL ANALYSIS**

Senate Research Center  
77R4762 JMM-D

H.B. 1706  
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Business & Commerce  
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Engrossed

### **DIGEST AND PURPOSE**

In 1999, the Texas Board of Architectural Examiners (board) was authorized to establish a scholarship fund for architectural candidates. The board was not given the authority to contract with an outside entity for the administration of the fund, and has neither the expertise nor the staff necessary to properly administer the fund. Also, current law designates a specified fee be collected annually to fund the scholarship program. This language does not allow for a flexible amount to be collected or for funds to be carried over from year to year. Therefore, some of the funds collected for the scholarship program may not actually be used in the manner intended. H.B. 1706 authorizes the board to more efficiently administer the scholarship program and its funds, creates consistency in language relating to the collection of fees, and provides the board with the additional authority to take necessary disciplinary actions.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Board of Architectural Examiners in SECTION 7 (Section 8A, Chapter 457, Acts of the 61st Legislature, Regular Session, 1969) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7A, Chapter 478, Acts of the 45th Legislature, Regular Session, 1937, as follows:

Sec. 7A. New heading: EXAMINATION FEE SCHOLARSHIPS. Requires the Texas Board of Architectural Examiners (board) to deposit the examination fee scholarship portion, rather than \$10, of each certificate of registration renewal fee collected under certain parts of this Act to the credit of the scholarship fund for architectural examination applicants (fund). Provides that the fund is an account in the general revenue fund that may be appropriated only to the board to pay administrative costs associated with the examination fee scholarship program. Requires any unexpended balance in the fund at the end of each state fiscal year to remain in the fund. Authorizes the board to contract with the Texas Higher Education Coordinating Board or a private entity to administer the examination fee scholarship program established under this section. Requires the board to provide for the awarding of, rather than establish and administer, scholarships in a manner that best serves the public purpose of the scholarships. Sets forth certain requirements for the board to consider in determining what best promotes the public purpose. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 11(b), Chapter 478, Acts of the 45th Legislature, Regular Session, 1937, to authorize the board to take certain actions relating to a person's registration under this Act for failing to provide or to timely provide to the Texas Department of Licensing and Regulation any document designated by Article 9102, Revised Statutes, as a document the person is required to provide to the department.

SECTION 3. Amends Section 11A(b), Chapter 478, Acts of the 45th Legislature, Regular Session, 1937, to require a registered architect whose certificate of registration is on inactive status to pay an

annual, rather than a \$10, certificate of registration renewal fee on a date and in a manner prescribed by board rule. Requires the board to prescribe the renewal fee under this subsection in a certain amount.

SECTION 4. Amends Section 12(c), Chapter 478, Acts of the 45th Legislature, Regular Session, 1937, to require the board to set the required renewal fee for residents in a certain amount. Deletes existing text relating to the required renewal fee for nonresidents.

SECTION 5. Amends Section 6A(b), Chapter 457, Acts of the 61st Legislature, Regular Session, 1969, to require the board to prescribe the renewal fee under this subsection in an amount determined by the board as reasonable and necessary to cover the costs of administering this section. Makes conforming changes.

SECTION 6. Amends Section 8(a), Chapter 457, Acts of the 61st Legislature, Regular Session, 1969, to make a conforming change.

SECTION 7. Amends Section 8A, Chapter 457, Acts of the 61st Legislature, Regular Session, 1969, to provide an exception to this section. Require the board to adopt rules to prevent a person regulated by the board from submitting a competitive bid to, or soliciting a competitive bid on behalf of, a governmental entity that is prohibited by Chapter 2254A, Government Code, from making a selection or awarding a contract on the basis of competitive bids.

SECTION 8. Amends Section 12A(b), Article 249e, Revised Statutes, to require a registered interior designer whose certificate of registration is on inactive status to pay an annual certificate of registration renewal fee on a date and in a manner prescribed by board rule. Requires the board to prescribe the renewal fee under this subsection in an amount determined by the board as reasonable and necessary to cover the costs of administering this section.

SECTION 9. Amends Section 15(a), Article 249e, Revised Statutes, to make a conforming change.

SECTION 10. Amends Chapter 61C, Education Code, by adding Section 61.0822, as follows:

Sec. 61.0822. CONTRACT WITH TEXAS BOARD OF ARCHITECTURAL EXAMINERS. Authorizes the Texas Higher Education Coordinating Board to contract with the Texas Board of Architectural Examiners to administer the examination fee scholarship program established under Section 7A, Chapter 478, Acts of the 45th Legislature, Regular Session, 1937.

SECTION 11. Sets forth the intentions of the changes in law made by this Act.

SECTION 12. Effective date: September 1, 2001. Sets forth certain application timelines and time-frame requirements for the requirements of the Texas Board of Architectural Examiners established by this Act.