

BILL ANALYSIS

Senate Research Center
80R16144 YDB-F

C.S.H.B. 2352
By: Thompson (Ellis)
Jurisprudence
4/26/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, property tax consultants are only authorized to sell consulting services unless the consultant is affiliated with a registered senior property tax consultant in certain ways. Expanding this requirement to include consultants working under Texas-licensed lawyers provides potential benefits of increased job options for consultants, broadened representation for attorneys, and increased consulting options for consumers.

C.S.H.B. 2352 authorizes property tax consultants to work under the supervision of Texas-licensed attorneys. This bill authorizes attorneys to take the examination to become licensed as a property tax consultant without having to meet other certain requirements and prohibits property tax consultants from providing consultation regarding legal issues or interpretations of the law without first being licensed to practice law in this state.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1152.152(a), Occupations Code, by prohibiting a registered property tax consultant from performing property tax consulting services for compensation unless the consultant is employed by or associated with and acting for a registered senior property tax consultant or an attorney who is licensed to practice law in this state and has successfully completed the senior tax property tax consultant registration examination (examination) required under Section 1152.160 (Senior Tax Property Tax Consultant Registration Examination), Occupations Code.

SECTION 2. Amends Section 1152.160, Occupations Code, by adding Subsection (e) to authorize an attorney who is licensed to practice law in this state to take the examination under this section without completing any other eligibility requirements for registration as a consultant under this chapter (Property Tax Consultants).

SECTION 3. Amends Subchapter D, Chapter 1152, Occupations Code, by adding Section 1152.163, as follows:

Sec. 1152.163. PROHIBITED ACTS. Prohibits a person required to hold a certificate of registration as a property tax consultant under this chapter to undertake a representation that pertains in any way to legal issues or to make any representation pertaining to or interpreting the law to certain entities unless that person is also licensed to practice law in this state.

SECTION 4. Effective date: September 1, 2007.