

## BILL ANALYSIS

Senate Research Center  
81R21147 JAM-F

H.B. 2548  
By: Kuempel (Williams)  
Business & Commerce  
5/13/2009  
Engrossed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Commission of Licensing and Regulation relies on the expertise of advisory boards when discussing issues that are technical in nature. Advisory boards, composed of industry experts in a particular regulated industry, would benefit in their deliberations from the input of a public member who has no connection to the industry.

H.B. 2548 amends current law relating to membership of certain advisory bodies to the Texas Department of Licensing and Regulation.

### 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 Sections 755.011(b) and (c), Health and Safety Code, as follows:

(b) Provides that the board of boiler rules is composed of the 11, rather than nine, members appointed by the presiding officer of the Texas Commission of Licensing and Regulation (TCLR), with TCLR's approval, including two public members.

(c) Requires all members except the members appointed under Subsection (b)(6) (relating to public members), rather than a member, to have experience with boilers.

SECTION 2. Amends Section 1152.102, Occupations Code, by amending Subsections (a) and (c) and adding Subsection (d), as follows:

(a) Provides that the property tax consultants advisory council is composed of seven, rather than six, members appointed by the presiding officer of TCLR, with TCLR's approval.

(c) Requires each person appointed for membership on the council, except as provided by Subsection (d), to meet certain requirements.

(d) Requires one member of the council to be a public member.

SECTION 3. Amends Section 1302.201, Occupations Code, as follows:

Sec. 1302.201. **ADVISORY BOARD MEMBERSHIP.** Provides that the air conditioning and refrigeration contractors advisory board consists of seven, rather than six, members appointed by the presiding officer of TCLR, with TCLR's approval, and two ex officio nonvoting members. Requires one member of the advisory board to be a public member.

SECTION 4. Amends Section 1602.051(a), Occupations Code, as follows:

(a) Provides that the Advisory Board on Cosmetology consists of seven, rather than five, members appointed by the presiding officer of TCLR, with TCLR's approval,

including one member who represents a licensed public secondary or postsecondary beauty culture school and one public member.

SECTION 5. Amends Section 1802.102(a), Occupations Code, as follows:

(a) Provides that the Auctioneer Education Advisory Board consists of seven, rather than five, members appointed as follows: three members who are licensed auctioneers appointed by the presiding officer of TCLR, with TCLR's approval; the executive director of the Texas Economic Development and Tourism Office, rather than the Texas Department of Economic Development, or the director's designee; the commissioner of education or the commissioner's designee; and two public members.

SECTION 6. Amends Section 1802.105, Occupations Code, as follows:

Sec. 1802.105. REMOVAL. Authorizes a member appointed under Section 1802.102(a)(1) to be removed by a six-sevenths, rather than four-fifths, vote of the advisory board.

SECTION 7. Amends Section 2308.051(a), Occupations Code, as follows:

(a) Provides that the Towing and Storage Advisory Board consists of certain members appointed by the presiding officer of TCLR with the approval of TCLR, including one public member.

SECTION 8. Requires the presiding officer of TCLR to appoint the public members of the advisory bodies to the Texas Department of Licensing and Regulation, as required by this Act, not later than December 1, 2009.

SECTION 9. Effective date: September 1, 2009.