

BILL ANALYSIS

Senate Research Center

S.B. 1466
By: Estes
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The specific problem being addressed by this legislation is the duplicative, redundant, unnecessary or otherwise over-regulation of occupations that already need a license from the State of Texas to operate. Currently, counties and municipalities may generally enact and enforce any ordinance, rule, or order regulating occupations for which a state license is required.

S.B. 1466 eliminates the general authority of counties and municipalities to enact and enforce any ordinance, rule, or order regulating occupations for which a state license is required.

As proposed, S.B. 1466 amends current law relating to the authority of a municipality to regulate state licensees.

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 Chapter 229, Local Government Code, by adding Subchapter C, as follows:

SUBCHAPTER C. MUNICIPAL REGULATION OF STATE LICENSEES.

Sec. 229.101. DEFINITIONS. Defines, in this subchapter, "state licensee" and "state licensing authority."

Sec. 229.102. MUNICIPAL REGULATION OF STATE LICENSEES. (a) Prohibits the governing body of a municipality, notwithstanding any other state law, including Section 51.001 (Ordinance, Rule, or Regulation Necessary to Carry Out Other Power), unless expressly authorized by state law, from adopting or enforcing any ordinance, rule, or regulation that establishes requirements for, imposes restrictions on, or otherwise regulates the business activities of a state licensee within the municipality or the municipality's extraterritorial jurisdiction.

(b) Provides that a municipal ordinance, rule, or regulation that violates this section is void and unenforceable.

SECTION 2. Effective date: upon passage or September 1, 2013.