

1-1 By: Kuempel (Senate Sponsor - Williams) H.B. No. 2548  
1-2 (In the Senate - Received from the House May 8, 2009;  
1-3 May 8, 2009, read first time and referred to Committee on Business  
1-4 and Commerce; May 18, 2009, reported favorably by the following  
1-5 vote: Yeas 8, Nays 0; May 18, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to membership of certain advisory bodies to the Texas  
1-9 Department of Licensing and Regulation.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 755.011(b) and (c), Health and Safety  
1-12 Code, are amended to read as follows:

1-13 (b) The board is composed of the following 11 [~~nine~~] members  
1-14 appointed by the presiding officer of the commission, with the  
1-15 commission's approval:

1-16 (1) three members representing persons who own or use  
1-17 boilers in this state;

1-18 (2) three members representing companies that insure  
1-19 boilers in this state;

1-20 (3) one member representing boiler manufacturers or  
1-21 installers;

1-22 (4) one member representing organizations that repair  
1-23 or alter boilers in this state; [and]

1-24 (5) one member representing a labor union; and

1-25 (6) two public members.

1-26 (c) All members except the members appointed under  
1-27 Subsection (b)(6) [A member] must have experience with boilers. To  
1-28 the extent possible, at least four members should be professional  
1-29 engineers registered in this state.

1-30 SECTION 2. Section 1152.102, Occupations Code, is amended  
1-31 by amending Subsections (a) and (c) and adding Subsection (d) to  
1-32 read as follows:

1-33 (a) The council is composed of seven [~~six~~] members appointed  
1-34 by the presiding officer of the commission, with the commission's  
1-35 approval.

1-36 (c) Except as provided by Subsection (d), each [~~Each~~] person  
1-37 appointed for membership on the council must:

1-38 (1) be a registered senior property tax consultant;  
1-39 (2) be a member of a nonprofit and voluntary trade  
1-40 association:

1-41 (A) whose membership consists primarily of  
1-42 persons who perform property tax consulting services in this state  
1-43 or who engage in property tax management in this state for other  
1-44 persons;

1-45 (B) that has written experience and examination  
1-46 requirements for membership; and

1-47 (C) that subscribes to a code of professional  
1-48 conduct or ethics;

1-49 (3) be a resident of this state for the five years  
1-50 preceding the date of the appointment; and

1-51 (4) have performed or supervised the performance of  
1-52 property tax consulting services as the person's primary occupation  
1-53 continuously for the five years preceding the date of the  
1-54 appointment.

1-55 (d) One member of the council must be a public member.

1-56 SECTION 3. Section 1302.201, Occupations Code, is amended  
1-57 to read as follows:

1-58 Sec. 1302.201. ADVISORY BOARD MEMBERSHIP. The air  
1-59 conditioning and refrigeration contractors advisory board consists  
1-60 of seven [~~six~~] members appointed by the presiding officer of the  
1-61 commission, with the commission's approval, and two ex officio  
1-62 nonvoting members. One member of the advisory board must be a  
1-63 public member.

1-64 SECTION 4. Section 1602.051(a), Occupations Code, is

2-1 amended to read as follows:

2-2 (a) The Advisory Board on Cosmetology consists of seven  
 2-3 ~~five~~ members appointed by the presiding officer of the  
 2-4 commission, with the commission's approval, as follows:

2-5 (1) one member who holds a license for a beauty shop  
 2-6 that is part of a chain of beauty shops;

2-7 (2) one member who holds a license for a beauty shop  
 2-8 that is not part of a chain of beauty shops;

2-9 (3) one member who holds a private beauty culture  
 2-10 school license; ~~and~~

2-11 (4) two members who each hold an operator license;

2-12 (5) one member who represents a licensed public  
 2-13 secondary or postsecondary beauty culture school; and

2-14 (6) one public member.

2-15 SECTION 5. Section 1802.102(a), Occupations Code, is  
 2-16 amended to read as follows:

2-17 (a) The advisory board consists of seven ~~five~~ members  
 2-18 appointed as follows:

2-19 (1) three members who are licensed auctioneers  
 2-20 appointed by the presiding officer of the commission, with the  
 2-21 commission's approval;

2-22 (2) the executive director of the Texas ~~Department~~  
 2-23 ~~of~~ Economic Development and Tourism Office or the director's  
 2-24 designee; ~~and~~

2-25 (3) the commissioner of education or the  
 2-26 commissioner's designee; and

2-27 (4) two public members.

2-28 SECTION 6. Section 1802.105, Occupations Code, is amended  
 2-29 to read as follows:

2-30 Sec. 1802.105. REMOVAL. A member appointed under Section  
 2-31 1802.102(a)(1) may be removed by a six-sevenths ~~four-fifths~~ vote  
 2-32 of the advisory board.

2-33 SECTION 7. Section 2308.051(a), Occupations Code, is  
 2-34 amended to read as follows:

2-35 (a) The advisory board consists of the following members  
 2-36 appointed by the presiding officer of the commission with the  
 2-37 approval of the commission:

2-38 (1) one representative of a towing company operating  
 2-39 in a county with a population of less than one million;

2-40 (2) one representative of a towing company operating  
 2-41 in a county with a population of one million or more;

2-42 (3) one owner of a vehicle storage facility located in  
 2-43 a county with a population of less than one million;

2-44 (4) one owner of a vehicle storage facility located in  
 2-45 a county with a population of one million or more;

2-46 (5) one parking facility owner;

2-47 (6) one law enforcement officer from a county with a  
 2-48 population of less than one million;

2-49 (7) one law enforcement officer from a county with a  
 2-50 population of one million or more; ~~and~~

2-51 (8) one representative of property and casualty  
 2-52 insurers who write automobile insurance in this state; and

2-53 (9) one public member.

2-54 SECTION 8. The presiding officer of the Texas Commission of  
 2-55 Licensing and Regulation shall appoint the public members of the  
 2-56 advisory bodies to the Texas Department of Licensing and  
 2-57 Regulation, as required by this Act, not later than December 1,  
 2-58 2009.

2-59 SECTION 9. This Act takes effect September 1, 2009.

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