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By: Nichols, Buckingham

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A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the Texas State Board of Plumbing Examiners; requiring an occupational license; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1301.002, Occupations Code, is amended by amending Subdivisions (2), (3), (4), (6), (9), and (10) and adding Subdivision (7-a) to read as follows:

(2) "Drain cleaning" [~~cleaner~~] means [~~a person who~~]:

(A) installing [~~has completed at least 4,000 hours working under the supervision of a responsible master plumber as a drain cleaner-restricted registrant;~~

~~[(B) has fulfilled the requirements of and is registered with the board; and~~

~~[(C) installs]~~ cleanouts and removing [~~removes~~] and resetting [~~resets~~] p-traps to eliminate obstructions in building drains and sewers under the supervision of a [~~responsible~~] master plumber; or

(B) clearing[-

~~[(3) "Drain cleaner-restricted registrant" means a person who:~~

~~[(A) has worked as a plumber's apprentice under the supervision of a responsible master plumber;~~

~~[(B) has fulfilled the requirements of and is registered with the board; and~~

~~[(C) clears]~~ obstructions in sewer and drain lines through any code-approved existing opening under the supervision of a ~~[responsible]~~ master plumber.

(4) "Journeyman plumber" means a person licensed under this chapter who:

(A) has met the qualifications for registration as a plumber's apprentice or for licensing as a tradesman plumber-limited license holder;

(B) has completed at least 8,000 hours working under the supervision of a ~~[responsible]~~ master plumber;

(C) installs, changes, repairs, services, or renovates plumbing or supervises any of those activities under the supervision of a ~~[responsible]~~ master plumber;

(D) has passed the required examination; and

(E) has fulfilled the other requirements of the board.

(6) "Plumber's apprentice" means a person other than a master plumber, journeyman plumber, or tradesman plumber-limited license holder who:

(A) [] as the person's principal occupation, learns about and assists in the installation of plumbing, including drain cleaning and residential utilities installation;

(B) has fulfilled the requirements of and is registered by the board; [] and

(C) works under the supervision of a [responsible] master plumber [~~and the direct supervision of a licensed plumber~~].

(7-a) "Plumbing contractor" means a person licensed as a plumbing contractor under this chapter who:

(A) is a master plumber, or employs a master plumber, for the purpose of offering and performing plumbing work that will be performed or supervised by the master plumber;

(B) is authorized to obtain permits for plumbing work;

(C) assumes responsibility for plumbing work performed for compensation paid to the person; and

(D) has submitted a certificate of insurance as required by Section 1301.3576.

(9) "Residential utilities installation" ["~~Residential utilities installer~~"] means constructing and installing [~~a person~~

who:

~~[(A) has completed at least 2,000 hours working under the supervision of a master plumber as a plumber's apprentice;~~

~~[(B) has fulfilled the requirements of and is registered with the board; and~~

~~[(C) constructs and installs]~~ yard water service piping for one-family or two-family dwellings and building sewers under the supervision of a ~~[responsible]~~ master plumber.

(10) "Tradesman plumber-limited license holder" means a person who:

(A) has completed at least 4,000 hours working under the direct supervision of a journeyman or master plumber as a plumber's apprentice;

(B) has passed the required examination;

(C) constructs and installs plumbing for one-family or two-family dwellings under the supervision of a ~~[responsible]~~ master plumber; and

(D) has fulfilled the other requirements of the board.

SECTION 2. Section 1301.003, Occupations Code, is amended to read as follows:

Sec. 1301.003. APPLICATION OF SUNSET ACT. The Texas State

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Board of Plumbing Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2027 [2019].

SECTION 3. Section 1301.151(a), Occupations Code, is amended to read as follows:

(a) The Texas State Board of Plumbing Examiners consists of nine members appointed by the governor with the advice and consent of the senate as follows:

(1) one member who has at least 10 years' practical experience and is licensed as a master plumber;

(2) one member who has at least five years' practical experience and is licensed as a journeyman plumber;

(3) one member who has at least five years' practical experience and is licensed as a plumbing inspector;

(4) one member who is [has been] a plumbing contractor [responsible master plumber for at least five years with at least 10 years' experience as a licensed journeyman plumber or master plumber];

(5) one member who is a licensed engineer practicing in the field of plumbing engineering;

(6) two members who are building contractors with at least five years' contracting experience, one of whom is

principally engaged in home building and one of whom is principally engaged in commercial building; ~~and~~

(7) one member who is a licensed plumber; and

(8) one member ~~[two members]~~ who represents ~~[represent]~~

the public.

SECTION 4. The heading to Section 1301.152, Occupations Code, is amended to read as follows:

Sec. 1301.152. ELIGIBILITY OF PUBLIC MEMBER ~~[MEMBERS]~~.

SECTION 5. The heading to Section 1301.202, Occupations Code, is amended to read as follows:

Sec. 1301.202. CERTAIN PLUMBING EXAMINERS ~~[EXAMINER]~~.

SECTION 6. Section 1301.202(a), Occupations Code, is amended to read as follows:

(a) If an examination required for the issuance of a license, endorsement, or certificate of registration under this chapter contains a practical component, the [The] board shall employ or contract with one or more plumbing examiners to administer that portion of the examination. ~~[A plumbing examiner serves at the will of the board.]~~ A plumbing examiner must:

(1) hold a license as a plumber issued under this chapter; and

(2) be knowledgeable of this chapter and municipal ordinances relating to plumbing ~~[, and~~

~~[(3) be qualified by experience and training in plumbing practice].~~

SECTION 7. Section 1301.203, Occupations Code, is amended to read as follows:

Sec. 1301.203. FIELD REPRESENTATIVE; INSPECTIONS. (a) The board shall ~~[may]~~ employ a field representative to assist the board in enforcing this chapter and rules adopted under this chapter. A field representative must~~[÷~~

~~[(1) hold a license as a plumber under this chapter;~~
~~[(2)]~~ be knowledgeable of this chapter and municipal ordinances relating to plumbing~~[; and~~

~~[(3) be qualified by experience and training in plumbing practice].~~

(b) A field representative may:

(1) conduct on-site license checks to determine compliance with this chapter;

(2) investigate consumer complaints filed under Section 1301.303;

(3) assist municipal plumbing inspectors in enforcing this chapter; and

(4) ~~[issue citations as provided by Section 1301.502;~~
and

~~[(5)]~~ in the performance of the field representative's

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other duties under this chapter, check the license, registration, or endorsement of a person regulated by the Texas Department of Licensing and Regulation in accordance with the memorandum of understanding adopted under Section 1301.259 and report any noncompliance to that agency.

(c) For an inspection or investigation that involves the quality of plumbing work, including whether the plumbing work complies with any applicable plumbing code requirements, the board shall employ or contract with a person who holds a license as a plumber under this chapter to conduct or assist in the inspection or investigation.

SECTION 8. Section 1301.262, Occupations Code, is amended to read as follows:

Sec. 1301.262. **CODES** [~~PLUMBING INSPECTOR CODE~~] OF CONDUCT.

(a) The board by rule shall establish a code of conduct for licensed plumbing inspectors. The code of conduct shall require a plumbing inspector to enforce this chapter and board rules in a consistent manner across job sites.

(b) The board by rule may establish standards of conduct for a holder of a license, endorsement, or certificate of registration issued under this chapter.

SECTION 9. Subchapter E, Chapter 1301, Occupations Code, is amended by adding Sections 1301.263 and 1301.264 to read as

follows:

Sec. 1301.263. EXAMINATION ADMINISTRATION AND CONTENT. (a)

The board shall recognize, prepare, administer, or arrange for the administration of an examination required by this chapter.

(b) The board shall determine the minimum requirements and passing score for an examination required by this chapter.

(c) If an examination required by this chapter contains a practical component, the practical component must be administered by a plumbing examiner as provided by Section 1301.202.

Sec. 1301.264. SUPERVISION RULES; RESPONSIBILITY FOR PLUMBING

WORK. (a) The board by rule shall:

(1) require that, for each task involved in plumbing, a master plumber:

(A) perform the task; or

(B) provide general or direct supervision of a less experienced plumber who performs the task;

(2) require that each plumber's apprentice and tradesman plumber-limited license holder perform plumbing under the direct or general supervision of a more experienced plumber;

(3) specify the plumbing tasks that a plumber's apprentice or tradesman plumber-limited license holder must perform under direct supervision and the plumbing tasks a plumber's apprentice or tradesman plumber-limited license holder must perform

under general supervision;

(4) specify the amount of classroom training meeting the requirements of Subsection (b), practical plumbing experience, or a combination of that training and experience necessary to:

(A) exempt a plumber from the direct supervision requirements under this section; and

(B) permit the plumber to perform the plumbing under general supervision;

(5) require a plumber, other than a master plumber, to document the plumber's:

(A) classroom training that meets the requirements of Subsection (b); and

(B) practical plumbing experience; and

(6) require the plumbing contractor, and supervising plumber, if any, to assume responsibility for plumbing performed, including the quality of the plumbing and the supervision of less experienced plumbers.

(b) Notwithstanding the minimum requirements for a continuing education program or instructor established under this chapter, the board by rule shall establish minimum requirements for classroom training, other than a continuing education program under this chapter, that, if successfully completed and documented by a plumber, the board shall credit toward:

(1) the necessary classroom training required to:

(A) exempt the plumber from the direct supervision requirements under this section; and

(B) permit the plumber to perform specified plumbing tasks under general supervision;

(2) the continuing education required under this chapter to renew a license, endorsement, or certificate of registration, as applicable to the plumber; and

(3) the eligibility requirements for a license under this chapter, as applicable to the plumber.

SECTION 10. Section 1301.302, Occupations Code, is amended to read as follows:

Sec. 1301.302. CONTRACT INFORMATION; REQUIRED DOCUMENTS. A written proposal, invoice, or contract relating to plumbing services performed by or under the direction of a plumber licensed under this chapter must contain the name and license number of the plumbing contractor [~~responsible master plumber~~] and the name, mailing address, and telephone number of the board. The person who performed the services shall give the customer an invoice or completed contract document on completion of the job, regardless of whether the person charged a fee for performing the services.

SECTION 11. Sections 1301.351(a), (a-1), and (c), Occupations Code, are amended to read as follows:

(a) A person~~[, other than a responsible master plumber,]~~ may not perform or offer to perform ~~[engage in]~~ plumbing for compensation unless:

(1) the person holds:

(A) a plumbing contractor license; and

(B) the proper license, endorsement, or certificate of registration~~[, or endorsement]~~ required by this chapter to perform or supervise the performance of plumbing; ~~[and]~~

(2) the person:

(A) is employed by a plumbing contractor;

(B) performs or supervises the plumbing in the scope of that employment; and

(C) holds the proper license, endorsement, or certificate of registration required by this chapter; or

(3) the person offers to perform plumbing and contracts with a plumbing contractor for the performance of the plumbing ~~[the person's work is supervised and controlled by a person licensed under this chapter].~~

(a-1) A person may not act as a plumbing contractor ~~[responsible master plumber]~~ unless the person holds the appropriate license and meets the applicable requirements ~~[for a responsible master plumber]~~ under this chapter.

(c) A plumbing contractor ~~[license holder]~~ who is supervising

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and controlling [~~under Subsection (a)(2)~~] the work of a person engaged in the business of plumbing in the construction of a new one-family or two-family dwelling in an unincorporated area of the state must have training and management responsibility for, and shall review and inspect, the person's work. The plumbing contractor [~~license holder~~] is not required to provide continuous or uninterrupted on-the-job oversight of the person's work.

SECTION 12. Subchapter G, Chapter 1301, Occupations Code, is amended by adding Section 1301.3515 to read as follows:

Sec. 1301.3515. CRIMINAL HISTORY RECORD INFORMATION FOR LICENSE ISSUANCE. (a) The board shall require that an applicant for a license submit a complete and legible set of fingerprints, on a form prescribed by the board, to the board or to the Department of Public Safety for the purpose of obtaining criminal history record information from the Department of Public Safety and the Federal Bureau of Investigation.

(b) The board may not issue a license to a person who does not comply with the requirement of Subsection (a).

(c) The board shall conduct a criminal history record information check of each applicant for a license using information:

- (1) provided by the individual under this section; and
- (2) made available to the board by the Department of

Public Safety, the Federal Bureau of Investigation, and any other criminal justice agency under Chapter 411, Government Code.

(d) The board may:

(1) enter into an agreement with the Department of Public Safety to administer a criminal history record information check required under this section; and

(2) authorize the Department of Public Safety to collect from each applicant the costs incurred by the Department of Public Safety in conducting the criminal history record information check.

SECTION 13. Subchapter G, Chapter 1301, Occupations Code, is amended by adding Section 1301.3542 to read as follows:

Sec. 1301.3542. CAREER AND TECHNOLOGY EDUCATION PROGRAM FOR TRADESMAN PLUMBER-LIMITED LICENSE; INSTRUCTORS. (a) The board may credit an applicant who submits an application under Section 1301.354(b) with a number of hours determined by board rule against the number of hours of work experience required to take an examination under that section, if the applicant successfully completes a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program in accordance with Subchapter F, Chapter 29, Education Code.

(b) A student of any age enrolled in a high school is eligible to take the sequence of courses described by Subsection (a) without registering as a plumber's apprentice or paying any

registration fee. A person who is no longer enrolled in a high school shall comply with the requirements of this chapter related to the person's eligibility to apply for and take an examination for a license issued under this chapter, including any registration or fee requirements.

(c) The board shall develop the courses described by Subsection (a). The courses must be approved by the State Board of Education.

(d) The courses must include an appropriate number of hours of classroom instruction and a practical component. The board may credit on-the-job training toward meeting the requirements under the practical component.

(e) A person may not provide instruction in a career and technology education program described by this section unless the person is licensed under this chapter as a master plumber, journeyman plumber, or plumbing inspector.

(f) A person described by Subsection (e) may provide the instruction in a full-time or part-time capacity as an employee, contractor, or volunteer of a high school.

(g) The board may adopt rules necessary to implement this section, including procedures to verify a student's successful completion of the sequence of courses described by Subsection (a).

SECTION 14. Section 1301.3575, Occupations Code, is amended

to read as follows:

Sec. 1301.3575. REGISTRATION OF PLUMBER'S APPRENTICES [~~CERTAIN PERSONS~~]. The board shall register a person who complies with this chapter as a [~~drain cleaner, drain cleaner-restricted registrant, residential utilities installer, or~~] plumber's apprentice.

SECTION 15. Section 1301.3576, Occupations Code, is amended to read as follows:

Sec. 1301.3576. CERTIFICATE OF INSURANCE [~~AND TRAINING~~] FOR PLUMBING CONTRACTOR [~~RESPONSIBLE MASTER PLUMBER~~]. Before a plumbing contractor offers or performs plumbing [~~master plumber works as a responsible master plumber~~], the plumbing contractor [~~master plumber~~] must[+]

[~~(1)~~] provide the board with a certificate of insurance that meets the requirements of Section 1301.552[+ and

[~~(2) present evidence satisfactory to the board of successful completion of a training program approved or administered by the board regarding the laws and rules applicable to the operation of a plumbing business in this state].~~

SECTION 16. Subchapter G, Chapter 1301, Occupations Code, is amended by adding Sections 1301.3581 and 1301.360 to read as follows:

Sec. 1301.3581. RECIPROCITY. (a) The board may issue a

license, endorsement, or certificate of registration under this chapter for an applicant who holds a similar license, endorsement, or certificate issued by another jurisdiction.

(b) An applicant under this section must:

(1) apply in the same manner and form as any other applicant under this chapter; and

(2) provide the board with documents and other evidence that substantiate the applicant's qualifications.

(c) An applicant for a license, endorsement, or certificate of registration issued under this section may not be required to undergo an examination to obtain the license, endorsement, or certificate if the applicant has held an equivalent license, endorsement, or certificate in another jurisdiction for at least two years. The board may determine whether a license, endorsement, or certificate issued by another jurisdiction is equivalent to a license, endorsement, or certificate issued under this chapter.

Sec. 1301.360. TEMPORARY LICENSE. (a) The board by rule may provide for the issuance of a temporary license, endorsement, or certificate of registration to an applicant who:

(1) submits an application on a form prescribed by the board;

(2) meets preliminary qualifications established by board rule; and

(3) pays any required fees.

(b) A temporary license holder is subject to this chapter and rules adopted under this chapter.

SECTION 17. Section 1301.401, Occupations Code, is amended to read as follows:

Sec. 1301.401. [ANNUAL] RENEWAL REQUIRED. (a) A license or certificate of registration under this chapter is valid for one or two years as determined by board rule [year]. On payment of the required fee, a license may be renewed [annually].

(b) The board by rule shall establish the requirements for renewing a license, endorsement, or certificate of registration under this chapter and may adopt a system under which licenses, endorsements, and certificates of registration [registrations] expire on various dates during the year.

(c) An endorsement issued under Section 1301.356, 1301.3565, or 1301.357 expires on the date the master plumber or journeyman plumber license of the endorsement holder expires. Any continuing education requirement established by rule and applicable to an endorsement issued under this chapter must be completed before the endorsement holder may renew the endorsement.

SECTION 18. Sections 1301.404(a), (c), and (d), Occupations Code, are amended to read as follows:

(a) The board by rule shall establish:

(1) minimum curriculum standards for ~~[recognize, approve, and administer]~~ continuing education programs and courses for persons who hold a license ~~[licenses]~~ or endorsement issued ~~[endorsements]~~ under this chapter; and

(2) minimum qualifications for an instructor of the continuing education programs and courses described by Subdivision (1).

(c) The board shall approve:

(1) a program or course that meets the minimum curriculum standards established by the board under Subsection (a); and

(2) an instructor who meets the minimum qualifications established by the board under Subsection (a) ~~[by rule shall adopt the criteria for the continuing professional education].~~

(d) A person may receive credit for participating in a continuing professional education program or course only if the program or course is approved by the ~~[provided:~~

~~-(1) by an individual, business, or association approved by the board; and~~

~~-(2) according to criteria adopted by the]~~ board.

SECTION 19. Section 1301.405, Occupations Code, is amended to read as follows:

Sec. 1301.405. ~~[MANDATORY]~~ TRAINING FOR PLUMBER'S APPRENTICE

~~[DRAIN CLEANER, DRAIN CLEANER RESTRICTED REGISTRANT, AND RESIDENTIAL UTILITIES INSTALLER]~~. The board by rule may establish continuing education requirements for persons ~~[(a) To renew the certificate of registration, a person]~~ who hold ~~[holds]~~ a certificate of registration under this chapter as a plumber's apprentice ~~[drain cleaner, drain cleaner restricted registrant, or residential utilities installer must annually complete at least six hours of approved training that includes training in health and safety requirements, board approved plumbing codes, and water conservation].~~

~~[(b) A person may receive credit for participating in a training program only if the program is provided:~~

~~[(1) by a person approved by the board; and~~

~~[(2) according to criteria adopted by the board.~~

~~[(c) The board by rule may exempt certain persons from the requirements of this section if the board determines that the exemption is in the public interest.]~~

SECTION 20. The heading to Subchapter I, Chapter 1301, Occupations Code, is amended to read as follows:

SUBCHAPTER I. DISCIPLINARY ACTION ~~[PROCEDURES]~~

SECTION 21. Section 1301.452, Occupations Code, is amended to read as follows:

Sec. 1301.452. GROUND FOR DISCIPLINARY ACTION. ~~[(a)]~~ A

person is subject to disciplinary action under Section 1301.451 if the person violates this chapter, an order issued by the board, or a board rule. A violation of this chapter includes:

(1) attempting to obtain or obtaining a license, endorsement, or registration through ~~error or~~ fraud;

(2) wilfully, negligently, or arbitrarily violating a municipal rule or ordinance that regulates sanitation, drainage, or plumbing;

(3) making a misrepresentation of services provided or to be provided;

(4) making a false promise with the intent to induce a person to contract for a service; ~~or~~

(5) employing a person who does not hold a license or endorsement or who is not registered to engage in an activity for which a license, endorsement, or certificate of registration is required under this chapter;

(6) performing plumbing without holding the proper license, endorsement, or certificate of registration required by this chapter;

(7) offering to perform or performing plumbing for compensation without:

(A) holding a plumbing contractor license;

(B) being employed by a plumbing contractor and

acting in the scope of that employment; or

(C) contracting with a plumbing contractor to perform the offered plumbing;

(8) performing plumbing in violation of a plumbing code adopted under Section 1301.255; or

(9) failing to supervise plumbing as required by this chapter or board rule.

~~[(b) Retesting procedures may be used to determine whether grounds exist for suspension or revocation of a license, endorsement, or registration due to incompetence or a wilful violation by a person licensed under this chapter.]~~

SECTION 22. Section 1301.502(a), Occupations Code, is amended to read as follows:

(a) A ~~[field representative]~~ water district plumbing inspector~~[,]~~ or, within the jurisdiction of the municipality, municipal plumbing inspector may issue a citation to a person who engages in conduct described by Section 1301.508.

SECTION 23. Section 1301.551(g), Occupations Code, is amended to read as follows:

(g) A ~~[responsible master plumber]~~ plumbing contractor~~[,]~~ or other person who is required to obtain a permit under this section is not required to pay a plumbing registration fee or administrative fee in a municipality or any other political

subdivision.

SECTION 24. Section 1301.552, Occupations Code, is amended to read as follows:

Sec. 1301.552. CERTIFICATE OF INSURANCE FOR PLUMBING PERMIT IN POLITICAL SUBDIVISION. A political subdivision that requires a plumbing contractor [~~responsible master plumber~~] or an agent of a plumbing contractor [~~responsible master plumber~~] to obtain a permit before performing plumbing in the political subdivision shall verify through the board's Internet website, or by contacting the board by telephone, that the plumbing contractor [~~responsible master plumber~~] has on file with the board a certificate of insurance. The certificate of insurance must:

(1) be written by an insurer authorized to engage in the business of insurance in this state or an eligible surplus lines insurer under Chapter 981 [~~as defined by Section 981.002~~], Insurance Code;

(2) provide for commercial general liability insurance for the plumbing contractor [~~responsible master plumber~~] for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and

(3) provide coverage of not less than \$300,000 for all claims arising in a one-year period.

SECTION 25. Section 372.0035(h), Health and Safety Code, is

amended to read as follows:

(h) Within [~~A field representative of the Texas State Board of Plumbing Examiners or, within~~] the jurisdiction of a municipality, a municipal plumbing inspector may issue a citation to a person who violates this section.

SECTION 26. The following provisions of the Occupations Code are repealed:

- (1) Section 1301.002(9-a);
- (2) Section 1301.351(a-2);
- (3) Section 1301.356(c);
- (4) Section 1301.3565(c);
- (5) Section 1301.357(c);
- (6) Section 1301.358; and
- (7) Section 1301.502(b).

SECTION 27. Notwithstanding any other provision of this Act:

(1) the authorization of a person holding a designation on the effective date of this Act to act as a responsible master plumber continues in effect until September 1, 2022;

(2) a person is not required to hold a plumbing contractor license to perform or offer to perform plumbing for compensation until September 1, 2022; and

(3) a person holding a designation to act as a responsible master plumber on the effective date of this Act may

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apply at no cost to the person for a plumbing contractor license until September 1, 2022, and after September 1, 2022, if the person applies for a plumbing contractor license, the person shall pay any fee required by law for the plumbing contractor license.

SECTION 28. The changes in law made by this Act to the qualifications of the members of the Texas State Board of Plumbing Examiners do not affect the entitlement of a member serving on the board immediately before the effective date of this Act to continue to serve for the remainder of the member's term. As the terms of board members expire, the governor shall appoint or reappoint a member who has the qualifications required for a member under Section 1301.151, Occupations Code, as amended by this Act.

SECTION 29. (a) Not later than:

(1) September 1, 2023, the Texas State Board of Plumbing Examiners shall obtain criminal history record information using a person's name, date of birth, and other alphanumeric identifiers on each person who:

(A) on the effective date of this Act holds a license issued under Chapter 1301, Occupations Code; and

(B) did not undergo a criminal history record information check based on the person's name or fingerprints on submission of the person's initial license application; and

(2) September 1, 2025, the Texas State Board of Plumbing

Examiners shall obtain criminal history record information using a person's fingerprints on each person who:

(A) on the effective date of this Act holds a license issued under Chapter 1301, Occupations Code; and

(B) did not undergo a criminal history record information check based on the person's fingerprints on submission of the person's initial license application.

(b) The Texas State Board of Plumbing Examiners may suspend the license of a person who holds a license under Chapter 1301, Occupations Code, who does not comply with a request by the board to provide information or fingerprints, in a form and manner prescribed by the board, that would enable the board to obtain criminal history record information as required by this section.

SECTION 30. Notwithstanding Section 1301.003, Occupations Code, it is the intent of the legislature in enacting this Act to amend Chapter 1301, Occupations Code, as that chapter was continued in existence by Executive Order No. GA-06.

SECTION 31. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.