

Chapter 690

H.B. No. 91

1 AN ACT

2 relating to a review of occupational licensing requirements and an
3 applicant's criminal history.

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

5 SECTION 1. REVIEW OF OCCUPATIONAL LICENSING ELIGIBILITY
6 REQUIREMENTS RELATED TO CRIMINAL HISTORY; REPORT. (a) In this
7 section:

8 (1) "License" means a license, certificate,
9 registration, permit, or other authorization that:

10 (A) is issued by a licensing authority; and

11 (B) an individual must obtain to practice or
12 engage in a particular business, occupation, or profession.

13 (2) "Licensing authority" means a department,
14 commission, board, or other agency of the state that issues a
15 license.

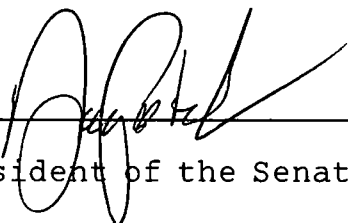
16 (b) Each licensing authority shall, for each license issued
17 by the authority that has an eligibility requirement related to an
18 applicant's criminal history, review the requirement and make a
19 recommendation regarding whether the requirement should be
20 retained, modified, or repealed.

21 (c) Not later than December 1, 2018, each licensing
22 authority shall submit a report on the results of the authority's
23 review to the lieutenant governor, the speaker of the house of
24 representatives, and each member of the legislature and include the

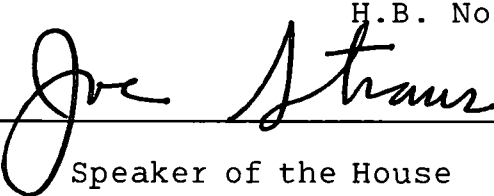
1 authority's recommendations.

2 (d) This section expires January 1, 2019.

3 SECTION 2. EFFECTIVE DATE. This Act takes effect
4 immediately if it receives a vote of two-thirds of all the members
5 elected to each house, as provided by Section 39, Article III, Texas
6 Constitution. If this Act does not receive the vote necessary for
7 immediate effect, this Act takes effect September 1, 2017.

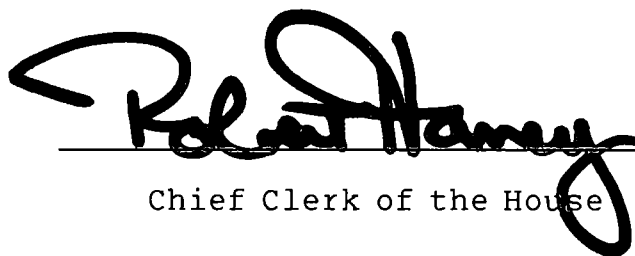


President of the Senate



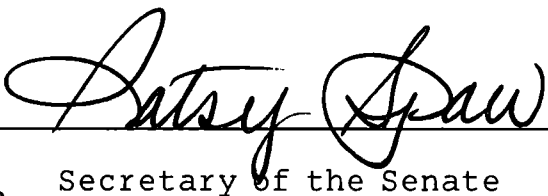
Speaker of the House

I certify that H.B. No. 91 was passed by the House on April 27, 2017, by the following vote: Yeas 144, Nays 0, 3 present, not voting; and that the House concurred in Senate amendments to H.B. No. 91 on May 25, 2017, by the following vote: Yeas 143, Nays 0, 2 present, not voting.




Chief Clerk of the House

I certify that H.B. No. 91 was passed by the Senate, with amendments, on May 23, 2017, by the following vote: Yeas 31, Nays 0.




Secretary of the Senate

APPROVED: 6-9-2011²⁰¹⁷ 
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB91 by White (Relating to a review of occupational licensing requirements and an applicant's criminal history.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would require all state entities issuing occupational licenses to review requirements relating to applicant criminal history and make recommendations to retain, modify, or repeal the requirements. It is assumed any costs associated with the bill could be absorbed within existing state resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 362 Texas Lottery Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality

LBB Staff: UP, CL, JJ, JLE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 19, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB91 by White (Relating to a review of occupational licensing requirements and an applicant's criminal history.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require all state entities issuing occupational licenses to review requirements relating to applicant criminal history and make recommendations to retain, modify, or repeal the requirements. It is assumed any costs associated with the bill could be absorbed within existing state resources.

The bill would amend the Labor Code relating to criminal history information of employment applicant or employee. The bill would prohibit a political subdivision of the state from adopting or enforcing any ordinance that prohibits, limits, or regulates a private employer's ability to request or consider the criminal history record of an applicant or employee.

The bill would not apply to a political subdivision from enforcing an ordinance or regulating criminal history access if the individual is entering into a contract or receiving a grant.

The bill would take effect immediately if it receives a two-third vote in each chamber; otherwise, it would take effect September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 362 Texas Lottery Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality

LBB Staff: UP, CL, JJ, JLE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 7, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB91 by White (Relating to a review of occupational licensing requirements related to an applicant's criminal history.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would require all state entities issuing occupational licenses to review requirements relating to applicant criminal history and make recommendations to retain, modify, or repeal the requirements. It is assumed any costs associated with the bill could be absorbed within existing state resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 362 Texas Lottery Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality

LBB Staff: UP, CL, JJ, JLE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 13, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB91 by White (Relating to a review of occupational licensing requirements related to an applicant's criminal history.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require all state entities issuing occupational licenses to review requirements relating to applicant criminal history and make recommendations to retain, modify, or repeal the requirements. It is assumed any costs associated with the bill could be absorbed within existing state resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 362 Texas Lottery Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality

LBB Staff: UP, CL, JJ, JLE