

Chapter 1057

H.B. No. 2615

1 AN ACT
2 relating to the licensing of towing operators and vehicle storage
3 facility employees by the Texas Department of Licensing and
4 Regulation.

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

6 SECTION 1. Section 2303.1015(a), Occupations Code, is
7 amended to read as follows:

8 (a) A person may not work at a vehicle storage facility
9 unless the person holds:

10 (1) a license issued under this chapter;

11 (2) an incident management towing operator's license
12 under Section 2308.153;

13 (3) a private property towing operator's license under
14 Section 2308.154; or

15 (4) a consent towing operator's license under Section
16 2308.155.

17 SECTION 2. Section 2308.153, Occupations Code, is amended
18 by adding Subsection (c) to read as follows:

19 (c) A person holding a license described by this section may
20 work at a vehicle storage facility regulated under Chapter 2303.

21 SECTION 3. Section 2308.154, Occupations Code, is amended
22 by adding Subsection (c) to read as follows:

23 (c) A person holding a license described by this section may
24 work at a vehicle storage facility regulated under Chapter 2303.

1 SECTION 4. Section 2308.155, Occupations Code, is amended
2 by adding Subsection (c) to read as follows:

3 (c) A person holding a license described by this section may
4 work at a vehicle storage facility regulated under Chapter 2303.

5 SECTION 5. The following provisions of the Occupations Code
6 are repealed:

7 (1) Section 2303.1016; and

8 (2) Section 2308.1521.

9 SECTION 6. (a) The changes in law made by this Act do not
10 affect the validity of a proceeding pending before a court or other
11 governmental entity on the effective date of this Act.

12 (b) An offense or other violation of law committed before
13 the effective date of this Act is governed by the law in effect when
14 the offense or violation was committed, and the former law is
15 continued in effect for that purpose. For purposes of this
16 subsection, an offense or violation was committed before the
17 effective date of this Act if any element of the offense or
18 violation occurred before that date.

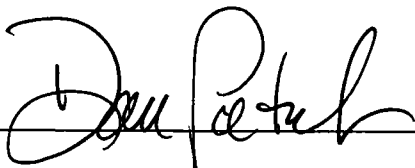
19 SECTION 7. (a) Sections 2308.153(c), 2308.154(c), and
20 2308.155(c), Occupations Code, as added by this Act, apply to a
21 license issued or renewed before, on, or after the effective date of
22 this Act.

23 (b) A license issued under Section 2303.1016 or 2308.1521,
24 Occupations Code, that is unexpired or eligible for renewal by the
25 license holder on the effective date of this Act expires on the
26 earlier of:

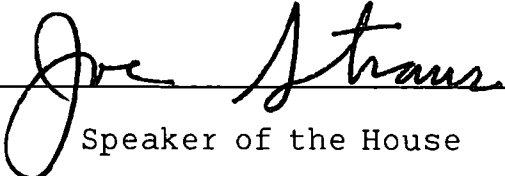
27 (1) the expiration date stated on the license; or

1 (2) the date of issuance of a license issued to the
2 license holder under Section 2308.153, 2308.154, or 2308.155,
3 Occupations Code.

4 SECTION 8. This Act takes effect September 1, 2017.




President of the Senate

H.B. No. 2615


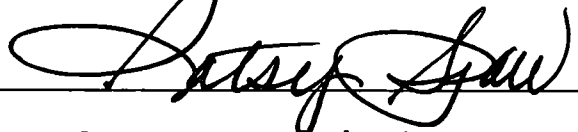
Speaker of the House

I certify that H.B. No. 2615 was passed by the House on May 3, 2017, by the following vote: Yeas 146, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 2615 was passed by the Senate on May 18, 2017, by the following vote: Yeas 30, Nays 0.




Secretary of the Senate

APPROVED: 6-13-2017
Date



Governor

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

JUN 15 2017


Secretary of State

**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: **HB2615** by Goldman (Relating to the licensing of towing operators and vehicle storage facility employees by the Texas Department of Licensing and Regulation.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2615, As Engrossed: a negative impact of (\$399,900) through the biennium ending August 31, 2019.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	(\$191,350)
2019	(\$208,550)
2020	(\$227,300)
2021	(\$247,800)
2022	(\$270,100)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>General Revenue Fund</i>	Probable Revenue (Loss) from <i>General Revenue Fund</i>
	1	1
2018	\$382,700	(\$574,050)
2019	\$417,100	(\$625,650)
2020	\$454,600	(\$681,900)
2021	\$495,600	(\$743,400)
2022	\$540,200	(\$810,300)

Fiscal Analysis

The bill would repeal the dual tow operator/vehicle storage facility employee license, and instead allow those with any of three other licenses to also work in a vehicle storage facility.

The bill would take effect September 1, 2017.

Methodology

According to information provided by the Texas Department of Licensing and Regulation (TDLR), the population of dual tow operator/vehicle storage facility employee licenses has grown at an annual rate of 9%; it is estimated to be 3,827 in fiscal year 2018 and grow to 5,402 by fiscal year 2022.

The dual licenses cost \$150 per license. TDLR assumes that once dual licenses are eliminated, and those with a towing operator's license are allowed to work in a vehicle storage facility per the provisions of the bill, licensees will only obtain the towing operator's license, which costs \$100 per license.

Assuming the same population of licensees, and a net loss of \$50 per license, this would result in a loss of revenue to the General Revenue Fund of \$191,350 in fiscal year 2018 and increase to a loss of \$270,100 by fiscal year 2022.

Based on the analysis of TDLR, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation

LBB Staff: UP, CL, EH, JQ, JGA, LCO

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 2, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2615 by Goldman (Relating to the licensing of towing operators and vehicle storage facility employees by the Texas Department of Licensing and Regulation.), As Introduced

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