

AN ACT

relating to the subpoena authority of the Texas State Board of Examiners of Psychologists.

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

SECTION 1. Subchapter E, Chapter 501, Occupations Code, is amended by adding Section 501.207 to read as follows:

Sec. 501.207. SUBPOENAS. (a) In an investigation of a complaint filed with the board, the executive director or presiding officer of the board may issue a subpoena to compel the attendance of a relevant witness or the production, for inspection or copying, of relevant evidence that is in this state.

(b) A subpoena may be served personally or by certified mail.

(c) If a person fails to comply with a subpoena, the board, acting through the attorney general, may file suit to enforce the subpoena in a district court in Travis County or in the county in which a hearing conducted by the board may be held.

(d) On finding that good cause exists for issuing the subpoena, the court shall order the person to comply with the subpoena. The court may punish a person who fails to obey the court order.

(e) The board shall pay for photocopies subpoenaed under this section a reasonable fee in an amount not to exceed the amount the board may charge for copies of its records.

1        (f) The reimbursement of the expenses of a witness whose  
2 attendance is compelled under this section is governed by Section  
3 2001.103, Government Code.

4        (g) Information and materials subpoenaed or compiled by the  
5 board in connection with the investigation of a complaint may be  
6 disclosed only as provided by Section 501.205.

7        SECTION 2. Section 501.207, Occupations Code, as added by  
8 this Act, applies only to a complaint filed on or after the  
9 effective date of this Act. A complaint filed before the effective  
10 date of this Act is governed by the law as it existed immediately  
11 before the effective date of this Act, and that law is continued in  
12 effect for that purpose.

13        SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2003.

David Dewhurst

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 2132 was passed by the House on April 25, 2003, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Robert Honey  
Chief Clerk of the House

I certify that H.B. No. 2132 was passed by the Senate on May 20, 2003, by the following vote: Yeas 31, Nays 0.

Datsap Spaw  
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30 AM O'CLOCK

Ann Shea  
Secretary of State