



## Texas Department of Licensing and Regulation

### Quarterly Update to the Senate Business & Commerce Committee January 2014

#### Commission Rule Adoptions to Reduce Fees

On 21 November, the [Texas Commission of Licensing and Regulation](#) approved the following rules changes in [16 Texas Administrative Code](#) to reduce licensee fees:

- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 57, §57.80 to reduce registration, renewal, and other fees as part of the Department's annual fee review and for general rule clean-up regarding the **For-Profit Legal Service Contract Companies program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 59, §59.80 to reduce the provider application and renewal application fees as part of the Department's annual fee review and for general rule clean-up regarding the **Continuing Education Requirements program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 64, §64.80 to reduce the application fee for an initial and renewal license as part of the Department's annual fee review and for general rule clean-up regarding the **Temporary Common Worker Employers program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 66, §66.80 to reduce the application fee for property tax consultants and for general rule clean-up regarding the **Registration of Property Tax Consultant program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 67, §67.80 to reduce the curriculum review fee as part of the Department's annual fee review, eliminate certain fees, and for general rule clean-up regarding the **Auctioneers program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 71, §71.80 to reduce registration and renewal fees as part of the Department's annual fee review and for general rule clean-up regarding the **Warrantors of Vehicle Protection Products program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 72, §72.80 to reduce the license and renewal fees as part of the Department's annual fee review and for general rule clean-up regarding the **Professional Employer Organization program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 73, §73.80 to add a new fee for application and renewal of a journeyman lineman's license; to reduce various application and renewal fees as part of the Department's annual fee review; and for general rule clean-up regarding the **Electricians program**.

- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 82, §82.80 to reduce various application, renewal, and other fees, eliminate the booth rental permit fee, restructure the law and rule book fee provisions, and make certain clean-up changes as part of the Department’s annual fee review regarding the **Barbering program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 83, §83.80 to reduce the various application, renewal, and other fees, eliminate the booth rental license fee, restructure the law and rule book fee provisions, and make certain clean-up changes as part of the Department’s annual fee review regarding the **Cosmetology program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 87, §87.85 to reduce various permit application, license, and renewal fees as part of the Department’s annual fee review and for general rule clean-up regarding the **Used Automotive Parts Recyclers program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 94, §94.80 to reduce various application and renewal fees as part of the Department’s annual fee review and for general rule clean-up regarding the **Property Tax Professionals program**.

The chart below lists the estimated total savings to licensees for each program for which the Commission reduced fees.

<u>Program</u>	<u>Estimated Annual Savings</u>	<u>Estimated 5-Year Savings*</u>
<b>Auctioneers</b>	<b>\$4,301</b>	<b>\$21,505</b>
<b>Barbers</b>	<b>323,790</b>	<b>1,618,950</b>
<b>Continuing Education</b>	<b>34,450</b>	<b>172,250</b>
<b>Cosmetologists</b>	<b>4,722,735</b>	<b>23,613,675</b>
<b>Electricians</b>	<b>660,890</b>	<b>3,304,450</b>
<b>Legal Service Contract Providers</b>	<b>3,431</b>	<b>17,155</b>
<b>Property Tax Consultants</b>	<b>3,050</b>	<b>15,250</b>
<b>Property Tax Professionals</b>	<b>36,333</b>	<b>181,665</b>
<b>Professional Employer Organizations</b>	<b>66,575</b>	<b>332,875</b>
<b>Temporary Common Workers</b>	<b>13,080</b>	<b>65,400</b>
<b>Used Automotive Parts Recyclers</b>	<b>52,364</b>	<b>261,820</b>
<b>Vehicle Protection Product Warrantors</b>	<b>11,250</b>	<b>56,250</b>
<b>TOTAL</b>	<b><u>\$5,932,249</u></b>	<b><u>\$29,661,245</u></b>

\* Based on current licensee populations and current rates of application and renewal.

**\*\*\*Attached is a document, “Texas Department of Licensing and Regulation Reduces Fees for Licensees,” with the fee reduction update provided to licensees, by TDLR program.**

## Commission Rule Adoptions to Implement Laws Enacted by the 83<sup>rd</sup> Texas Legislature

On 21 November, the [Texas Commission of Licensing and Regulation](#) approved the following rules changes in [16 Texas Administrative Code](#) to implement laws enacted by the 83<sup>rd</sup> Texas Legislature:

- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 59, §59.3 to implement statutory changes made by [Senate Bill 562](#), 83rd Legislature, Regular Session (2013) regarding mandatory continuing education for polygraph examiners; to implement House Bill 3038, 83rd Legislature, Regular Session (2013) relating to associate auctioneers; and for general rule clean-up regarding the **Continuing Education Requirements program**.
- Amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 60, §60.32; proposed new rules §§60.34, 60.35, 60.500 – 60.504, 60.510, 60.520, and 60.521; and proposed amendments to existing rule §60.83, to implement statutory changes made by [Senate Bill 162](#), [Senate Bill 242](#), [House Bill 2029](#) and [House Bill 2254](#), 83rd Legislature, Regular Session (2013), affecting military service members, veterans and spouses, regarding the **Procedural Rules of the Commission and the Department**.
- Amendments to an existing rule at amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 61, §§61.10, 61.20, 61.23, 61.30, 61.40, 61.48, 61.80 and 61.120 to implement statutory changes made by [Senate Bill 618](#), 83rd Legislature, Regular Session (2013), regarding the **Combative Sports program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 67, §§67.10, 67.20, 67.25, 67.40, 67.65, and 67.70; proposed new rule at §67.30; and the proposed repeal of §§67.21, §67.71, 67.72 and 67.94, to implement statutory changes made by [House Bill 3038](#), 83rd Legislature, Regular Session (2013) regarding the **Auctioneers program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 72, §§72.10, 72.20-72.23, 72.25, 72.70 and 72.71 and proposed new rules §72.72 and §72.73, to implement statutory changes made by [Senate Bill 1286](#), 83rd Legislature, Regular Session (2013) regarding the **Professional Employer Organization program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 73, §§73.10, 73.20, 73.24 - 73.26, 73.28, 73.53, and 73.100 to implement statutory changes made by [House Bill 796](#), 83rd Legislature, Regular Session (2013) which amended Texas Occupations Code, Chapter 1305 and to update the technical standard to the current edition of the National Electrical Code regarding the **Electricians program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 75, §75.25 and §75.80 and the proposed repeal of existing rule §75.26, to implement statutory changes made by [Senate Bill 383](#), 83rd Legislature, Regular Session (2013); to implement changes recommended by the Air Conditioning and Refrigeration Contractors Advisory Board regarding continuing education hours; and for general rule clean-up, regarding the **Air Conditioning and Refrigeration program**.

- Discussion and possible action regarding proposed amendments to existing rules at 16 Texas Administrative Code, Chapter 82 §§82.10, 82.20, 82.23, 82.31, and 82.70 – 82.72 to implement statutory changes made by [House Bill 2095](#) and [House Bill 619](#), 83rd Legislature, Regular Session (2013) and the Commission’s general rulemaking authority regarding the **Barbering program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code, Chapter 83, §§83.10, 83.20, 83.25, 83.28, 83.31, 83.65, 83.70 – 83.73, 83.103 and 83.120 to implement statutory changes made by [Senate Bill 362](#), [House Bill 2095](#) and [House Bill 619](#), 83rd Legislature, Regular Session (2013), and the Commission’s general rule-making authority regarding the **Cosmetology program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 88, §§88.10, 88.20, and 88.70; proposed new §§88.25, 88.100 and 88.101; and the proposed repeal of §88.100 to implement statutory changes made by [Senate Bill 562](#), 83rd Legislature, Regular Session (2013) regarding the **Polygraph Examiners program**.
- Discussion and possible action on proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 94, §§94.20, 94.21, and 94.25 to implement statutory changes made by [House Bill 585](#) and [Senate Bill 546](#), 83rd Legislature, Regular Session (2013) and to implement changes recommended by the Tax Professional Advisory Committee regarding the **Property Tax Professionals program**.

***\*\*\*Attached is a document, “TDLR 83rd Session Bill Implementation Status,” with details about the implementation of legislation relating to TDLR and its programs.***

## **Commission Advisory Board Appointments**

On 16 October, the Texas Commission of Licensing and Regulation approved the following advisory board appointments:

- John Swofford was appointed to the [Auctioneer Education Advisory Board](#) for a term that expires on 1 September 2015.
- Mark Wood was appointed to the [Air Conditioning and Refrigeration Contractors Advisory Board](#) for a term that expires on 1 February 2019.
- Aleshia Rivera was appointed to the [Advisory Board on Cosmetology](#) for a term that expires 29 September 2019.
- Glenda Jemison was named Presiding Officer of the [Advisory Board on Cosmetology](#).
- John Sparrow was appointed to the [Electrical Safety and Licensing Advisory Board](#) for a term that expires 1 February 2019.
- Joseph Sidney Vela was appointed to the [Texas Tax Professionals Advisory Committee](#) for a term that expires 1 March 2017.

## Advisory Board Meetings

- On 23 October the [Used Auto Parts Recyclers Advisory Board](#) met to recommend to the Texas Commission of Licensing and Regulation an updated penalty matrix.
- On 4 November the [Advisory Board on Cosmetology](#) met to recommend to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature and to create a work group to research issues regarding use of formaldehyde.
- On 4 November the [Advisory Board on Barbering](#) met to recommend to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature and to continue working with its Education & Examination Work Group.
- On 7 November the [Electrical Safety and Licensing Advisory Board](#) met to recommend to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature.
- On 14 November the [Air Conditioning and Refrigeration Contractors Advisory Board](#) met to recommend to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature.
- On 19 November the [Texas Tax Professional Advisory Committee](#) met to recommend to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature.
- On 20 November the [Auctioneer Education Advisory Board](#) met without a quorum to discuss and make unofficial recommendations to the Commission amendments to existing rules for implementation of legislation enacted by the 83<sup>rd</sup> Texas Legislature.
- On 12 December the [Water Well Drillers Advisory Council and Authority](#) recommend to the Commission amendments to the existing rules.

## Upcoming Commission and Advisory Board Meetings

Information about scheduled Commission and advisory board meetings is available on the [Meeting Agendas, Minutes and RealAudio Files link](#) on the TDLR website, which contains upcoming meeting agendas, a [RealPlayer meeting broadcast link](#) to watch meetings, and minutes from the most recently completed meetings. Commission and advisory board meetings typically meet in the 1<sup>st</sup> Floor Public Meeting Room (Room 125E) of [TDLR's North Campus](#), located at 1106 Clayton Lane in Austin.

Currently scheduled Commission and Advisory Board meetings are as follows:

- 22 January at 10 a.m.: [Towing, Storage and Booting Advisory Board](#)
- 28 January at 8 a.m.: [Texas Commission of Licensing and Regulation](#),
- 30 January at 10 a.m.: [Texas Weather Modification Advisory Committee](#)

## **Military Licensing**

The TDLR staff prepared the document “TDLR Lessons Learned: A Primer for Developing Military Service Credit for Occupational Licensing,” to share with other state agencies the lessons it learned about how to implement these five military bills enacted by the 83<sup>rd</sup> Texas Legislature regarding licensing of military service members, veterans, and spouses: [SB 162](#), [SB 242](#), [SB 1892](#), [HB 2029](#), and [HB 2254](#).

***\*\*\*Attached is this document, “TDLR Lessons Learned: A Primer for Developing Military Service Credit for Occupational Licensing.”***

## **TDLR Crowdsourcing – ThinkTDLR**

In December 2013 TDLR began operating the ThinkTDLR website for TDLR employees to brainstorm ideas and share experiences. The site allows TDLR employees to submit ideas and then read, rate, and reply to any proposed ideas. ThinkTDLR gives TDLR employees a new way to share their best ideas and work experiences while working collaboratively to solve problems as a team. All TDLR employees have access to ThinkTDLR and the agency’s leaders actively participate on the site while reviewing suggestions and providing their feedback as well.

## **Attachments**

**\*\*\*“Texas Department of Licensing and Regulation Reduces Fees for Licensees”**

**\*\*\*“TDLR 83rd Session Bill Implementation Status”**

**\*\*\*“TDLR Lessons Learned: A Primer for Developing Military Service Credit for Occupational Licensing”**