

Texas Department of Licensing and Regulation

Bill Number: H.B. 1560

Bill Authors: Goldman (Buckingham)

Staff Contact: Emily Johnson

Continue

- Continue the Texas Department of Licensing and Regulation (TDLR) for 12 years and remove the statutory provision requiring TDLR programs transferred to the agency on or after September 1, 2016, to undergo a limited scope Sunset review in 2022–23.

Governance and Advisory Boards

- Remove advisory board meeting requirements from statute and authorize TDLR to call meetings as needed.
- Authorize TDLR’s advisory boards to continue holding fully telephonic or videoconference meetings.
- Authorize TDLR to create interdisciplinary advisory boards to coordinate the expertise and input for similar industries.
- Specify a person may be a member of the Texas Commission of Licensing and Regulation if the person or person’s spouse is registered, certified, or licensed by a regulatory agency in the field of health care.
- Update the standard across-the-board requirement related to board member training.
- Update the standard across-the-board requirement related to developing and maintaining a complaints system and making information on complaint procedures available to the public. Specify TDLR may not inform parties of the status of complaints if doing so would jeopardize an ongoing investigation.

Polygraph, Auctioneers, and Combative Sports Programs

- Eliminate the Polygraph Examiners Program.
- Eliminate the combative sports matchmaker license.
- Eliminate the combative sports event coordinator license.
- Eliminate the combative sports second license.
- Require TDLR to study the regulation of auctioneering and submit a report to the Legislature by January 1, 2023, with any findings and recommendations to improve public safety and the department’s processes.

Barbering and Cosmetology Programs

- Consolidate Texas’ regulation of barbers and cosmetologists, and administer the two programs as one.
- Eliminate barbering and cosmetology instructor licenses.
- Eliminate all wig-related licenses.

- Eliminate state regulation of barber poles.
- Authorize, rather than require, TDLR to deny an application, or suspend or revoke a barbering or cosmetology license if the applicant or licensee engages in certain behavior.
- Specify private postsecondary barbering and cosmetology schools are not required to allow a student to reenter a course if the student presents a danger to the other students or staff of the school.

Driver Training Programs

Driver Improvement

- Eliminate the separate drug and alcohol driving awareness course and associated licenses.
- Eliminate the separate specialized driving safety course and associated licenses.
- Eliminate the separate driving safety course for drivers under 25 years old.
- Eliminate the redundant driving safety school license.
- Eliminate the driving safety instructor license.

Driver Education and Parent-Taught Driver Education

- Modernize the licensing of driver education businesses by establishing three different license types, including a separate license with distinct regulatory requirements for parent-taught driver education providers, and creating more parity among businesses.
- Authorize TDLR to provide for the issuance of a single license to a person who provides driver education courses under more than one license type.
- Eliminate pre-license and continuing education requirements for driver education instructors.
- Require a memorandum of understanding to facilitate better coordination between TDLR and the Department of Public Safety.
- Direct TDLR to remove from rule certain driver education school inspection requirements. (Management action – nonstatutory)

Driver Improvement and Driver Education

- Eliminate prescriptive curriculum hours and authorize TDLR to set minimum hours in rule.
- Eliminate costly course approval fees and streamline TDLR's process for approving driver training curricula.
- Modify the membership of the Driver Training and Traffic Safety Advisory Committee to conform to the new licensing structure.
- Authorize TDLR to refer to driver education and driver safety providers as schools in rules, forms, records, licenses and other agency documents.
- Direct TDLR to list on its website only licensed instructors and providers, not the specific courses they offer. (Management action – nonstatutory)

Residential Service Companies

- Transfer the licensing and regulation of residential service companies from the Texas Real Estate Commission to TDLR.

Inspection and Complaint Priorities

- Require TDLR to establish a risk-based approach to inspections but retain statutory inspection requirements for the Licensed Breeder Program.
- Require TDLR to prioritize complaints based on the risk they pose to the public.
- Direct TDLR to develop a comprehensive, data-driven strategy for assessing program risks and setting regulatory priorities. (Management action – nonstatutory)

Licensing and Enforcement

- Remove subjective licensure provisions from TDLR's statute.
- Authorize TDLR to require disclosure of additional financial and controlling information of applicants for certain business licenses.
- Clarify TDLR's general authority to adopt rules requiring continuing education, as necessary, but retain prescriptive statutory continuing education requirements in the Property Tax Professionals and Property Tax Consultants programs.
- Provide TDLR general authority to order refunds.
- Require TDLR to collect, maintain, and make publicly available detailed statistical information on complaints regarding its licensees.
- Authorize the Texas Commission of Licensing and Regulation to dismiss low-level complaints and to delegate this authority to agency staff.
- Direct TDLR to maintain complainants' confidentiality when possible. (Management action – nonstatutory)