

## **BILL ANALYSIS**

Senate Research Center

H.B. 71  
By: Pitts (J.E, "Buster" Brown)  
Natural Resources  
5/10/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, there are administrative conflicts between the licensing and complaint resolution processes in the Texas Department of Licensing and Regulation's enabling statute in the Occupations Code, the Administrative Procedure Act, and sections of the Water Code. H.B. 71 revenues redundant and duplicative language from certain sections of the Water Code that pertain to water well pump installers.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 33.002, Water Code, to read as follows:

Sec. 33.002. LICENSE REQUIREMENTS.

SECTION 2. Amends Section 33.002(d), Water Code, to provide that a license issued under this chapter expires annually. Deletes reference to Section 33.003. Deletes text regarding a licensee being required to pay an annual fee. Deletes text requiring the annual notice of an impending license expiration.

SECTION 3. Amends Section 33.008, Water Code, to delete text regarding the Texas Department of Licensing and Regulation (department). Deletes text regarding a disciplinary hearing.

SECTION 4. Amends Section 33.009, Water Code, to delete text in Subsections (b)-(j).

SECTION 5. Repealer: Section 33.002(i) (Requiring an applicant to be a resident of this state for at least 90 days), Water Code.

Repealer: Section 33.010 (Appeal of Department Action), Water Code.

Repealer: Section 33.011 (Complaints), Water Code.

SECTION 6. (a) Effective date: September 1, 2001.

(b) Makes application of Section 33.002(d) prospective.