

BILL ANALYSIS

Senate Research Center
82R9321 MAW-D

S.B. 1812
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Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Easement and right-of-way agents are currently licensed by the Texas Real Estate Commission (TREC) and negotiate with property owners on behalf of pipeline companies, among other entities, for the purpose of acquiring easements, rights-of-way, and other land acquisitions.

These individuals may access a person's property, including entry into a home or other structure. As such, a background check should be instituted as part of the licensure requirement.

S.B. 1812 requires a criminal background check as part of the licensure requirements for easement and right-of-way agents licensed by TREC.

As proposed, S.B. 1812 amends current law relating to criminal history record information of certain applicants for a certificate of registration issued by the Texas Real Estate Commission.

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 Subchapter K, Chapter 1101, Occupations Code, by adding Section 1101.5041, as follows:

Sec. 1101.5041. CRIMINAL HISTORY RECORD INFORMATION REQUIREMENT FOR CERTIFICATE. Requires an applicant for an original certificate of registration or renewal of a certificate of registration to comply with the criminal history record check requirements of Section 1101.3521 (Criminal History Record Information Requirement for License).

SECTION 2. Makes application of Section 1101.5041, Occupations Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2011.