

BILL ANALYSIS

C.S.H.B. 2305
By: Thompson, Senfronia
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Real Estate Research Center was created by the legislature in the 1970s to conduct research in all areas that relate to real estate and urban or rural economics. It has been noted that the research center is the nation's largest publicly funded organization devoted to real estate research and is funded without legislative appropriation through fees paid by more than 170,000 Texas real estate licensees. It has been suggested that state law governing the research center and other real estate-related entities needs updating to bring outdated terminology and procedures in line with modern language and operational practices so that these entities may continue their valuable work. C.S.H.B. 2305 seeks to update related statutory language, provide for virtual meetings, and clarify the original legislative intent that the research center be funded by fees collected from certain real estate licensees for each year of the license at the time of issuance or renewal.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2305 amends the Education Code to update provisions relating to the Texas Real Estate Research Center established at Texas A&M University. The bill changes the means for setting the per diem and transportation expense compensation for members of the Real Estate Research Advisory Committee from the legislature, as part of the state budget writing process, to the research center, as part of its budgeting process. The bill authorizes the advisory committee to conduct a meeting by conference call or virtually through a third-party Internet application as long as members of the general public are able to participate in the meeting, and any discussions during the meeting, if the meeting is not permitted to be conducted as a closed meeting under state open meetings law.

C.S.H.B. 2305 amends the Occupations Code to specify the following:

- the 15-day deadline for a member appointed to the Texas Real Estate Commission to take the constitutional oath of office after the date of appointment is 15 calendar days after that date; and
- the additional fee imposed for the issuance or renewal of a real estate broker license, sales agent license, or certificate of registration for use in supporting the research center is for each year of the term for which the license is issued or renewed.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2305 differs from the original in minor or nonsubstantive ways to conform to certain bill drafting conventions, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the means by which the per diem and transportation expense compensation for advisory committee members are set from the advisory committee itself to the research center, through its budgeting process.

The substitute changes the bill's effective date from on passage if it meets the necessary vote or September 1, 2021, if it does not, to September 1, 2021.