

- SUBJECT:** Repealing certification and regulation of personnel employment service
- COMMITTEE:** Licensing and Administrative Procedures — committee substitute recommended
- VOTE:** 8 ayes — Hamilton, Quintanilla, Geren, Gutierrez, Harless, Kuempel, Menendez, Thompson
- 0 nays
- 1 absent — Driver
- WITNESSES:** For — (*Registered, but did not testify:* Vikrant Reddy, Texas Public Policy Foundation)
- Against — None
- On — (*Registered, but did not testify:* William Kuntz, Texas Department of Licensing and Regulation)
- BACKGROUND:** Sec. 2501 of the Occupations Code requires a personnel employment service provider to be certified and regulated by the Texas Department of Licensing and Regulation (TDLR).
- Occupations Code, title 15, subch. B describes the certificate of authority needed by a personnel employment service provider to operate. The certificate of authority must be posted at each of the provider's service locations.
- TDLR is authorized to investigate and enforce complaints about personnel employment service providers. TDLR may then conduct a hearing and decide whether to issue a warning or revoke certification.
- Currently, the agency regulates 167 certified personnel services organizations and did not receive any complaints within the last year.
- DIGEST:** CSHB 3290 would amend Occupations Code, sec. 2501 by repealing the certification and regulation requirements for personnel employment services through the TDLR.

The bill would make additional conforming changes, including deleting the ability of the department to revoke certification for personnel services providers found to be in violation of the law.

The bill would also repeal the definitions of the Texas Commission of Licensing and Regulation and the TDLR.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**NOTES:**

The companion bill, SB 1168 by Carona, passed the Senate by 31-0 on the Local and Uncontested Calendar on April 21 and was reported favorably, without amendment, by the House Licensing and Administrative Procedures Committee on May 2.