CHAPTER 717

H.B. No. 3566

AN ACT
relating to the regulation of advertising by structural pest control businesses.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1951.206, Occupations Code, is amended to read as follows:

Sec. 1951.206. RULES RESTRICTING ADVERTISING OR COMPETITIVE BIDDING. (a) Except as provided by Subsection (b), the department may not adopt a rule restricting advertising or competitive bidding by a person subject to regulation [regulated] by the department under this chapter.

(b) The department may adopt rules restricting advertising or competitive bidding to prohibit false, misleading, or deceptive practices by a person subject to regulation [regulated] by the department under this chapter. A rule adopted under this subsection may not:

(1) restrict the use of any medium for advertising;
(2) restrict a person's personal appearance or use of a person's voice in an advertisement;
(3) relate to the size or duration of an advertisement by a person; or
(4) restrict a person's advertisement under a trade name.

(c) Subsection (b)(4) does not prohibit the department from adopting a rule regulating the use of the name of a business or license holder in an advertisement for a structural pest control business.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 7, 2013: Yeas 114, Nays 15, 1 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 718

H.B. No. 3567

AN ACT
relating to the composition of the structural pest control advisory committee.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 1951.101(a) and (b), Occupations Code, are amended to read as follows:

(a) The committee consists of [11 members] appointed by the commissioner as follows:

(1) one member [two members] who is an employee of a school district and associated with a school integrated pest management program [are experts in structural pest control];
(2) three members who represent the public;
(3) one member from an institution of higher education who is knowledgeable in the science of pests and pest control;
(4) three members [one member] who represent the interests of structural pest control operators and who are appointed based on recommendations provided by a trade association of operators;

(1837)