

Occupational Regulation in Texas



Occupational Licenses and Statutory Penalties for Violations Relating to Occupational Licenses

Texas Legislative Council

October 2008

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Prepared by the Research Division
of the
Texas Legislative Council

Published by the
Texas Legislative Council
P.O. Box 12128
Austin, Texas 78711-2128



Lieutenant Governor David Dewhurst, Joint Chair
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October 2008

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Table 1

Occupational Licenses in Texas

Explanation of Table 1

Type of License

The term “license” also includes other occupational, professional, and business authorizations, such as certificates, certificates of authority, permits, and registrations.

Description

The description sets out the authority of the license holder, including any limitations.

Code Chapter

Unless noted otherwise, code chapter references are to the Occupations Code. If licensing requirements are set out in the Texas Administrative Code (T.A.C.) instead of in Texas statutes, the rule number is provided.

Number of Active Licenses

This number may include licenses that have expired but are eligible for renewal; it excludes inactive licenses.

Fees

Unless noted otherwise, fee amounts: (1) are paid annually; (2) apply to both original and renewal applications; and (3) may include application, examination, professional, and other fees required of each applicant. Different fees for original and renewal applications are shown as (O) and (R).

State Revenue from Fees (FY 07)

This amount may include late fees for renewals of expired licenses and other fees that cannot be separated from licensing fees (e.g., corrective action fees, reinstatement fees, or fees for a change of name or location on a license).

Year First Regulated

This date is the year in which legislation was enacted or an administrative rule was promulgated that required a specific occupation to be licensed by the State of Texas. Where licensing requirements are provided only by administrative rule, the year provided reflects the year first regulated under the current rule number; an earlier version of the rule may exist but that history is not provided in the Texas Administrative Code.

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas State Board of Public Accountancy						
Certified public accountant (CPA) license	Authorizes holder to practice public accountancy (including services that involve the use of accounting, attesting, or auditing skills) as an individual.	901	61,026	\$255 ¹	\$16,524,130	1979
Certified public accounting firm license	Authorizes holder to practice public accountancy as a corporation, limited liability company, partnership, registered limited liability partnership, or sole proprietorship.	901	9,772	\$50 ²	\$998,583	1979 ³
Texas Department of Aging and Disability Services⁴						
Home and community support services agency license ⁵	<p>Authorizes holder to provide one or more home health, hospice, or personal assistance services in a client's residence, an independent living environment, or another location. Authorized services include: nursing, such as blood pressure monitoring and diabetes treatment; physical, occupational, speech, or respiratory therapy; medical social services; intravenous therapy; furnishing of certain medical equipment and supplies excluding drugs; nutritional counseling; intervention services that focus on the reduction or abatement of physical, psychosocial, and spiritual symptoms of a terminal illness; and routine ongoing care such as bathing, dressing, grooming, feeding, assisting with self-administered medications, and transfer or ambulation. Specific types of providers that must be licensed are as follows:</p> <p>A parent agency that develops and maintains administrative controls and supervises branch offices and alternate delivery (hospice service) sites.</p>	142	3,612	\$875	\$3,400,367	1979

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	<p>A branch office or site in the parent agency's service area that provides home health or personal assistance services or maintains active client records.</p> <p>An alternate delivery site in the parent agency's service area that is not the agency's principal place of business from which the agency exclusively provides hospice services.</p>		<p>756</p> <p>137</p>	<p>\$875</p> <p>\$500 (O) \$300 (R)</p>	<p>\$718,550</p> <p>\$56,075</p>	
<p>Convalescent and nursing home and related institutions licenses</p> <ul style="list-style-type: none"> • Nursing facility license⁶ 	<p>Authorizes holder to establish, operate, or maintain a facility providing institutional care for certain individuals. The specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder, including a governmental unit, to establish, conduct, or maintain an establishment that furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment and that provides minor treatment under the direction and supervision of a licensed physician, or other services that meet some need beyond the basic provision of food, shelter, and laundry. Specific types of facilities that must be licensed include nonparticipating nursing facilities that are not certified to participate in Medicare or Medicaid, nursing facilities certified to participate in Medicaid, skilled nursing facilities certified to participate in Medicare, skilled nursing facilities/nursing facilities certified to participate in both Medicare and Medicaid, and swing bed facilities certified to participate in Medicare with contracted services housed in a rural hospital setting.</p>	<p>242</p>	<p>1,270⁷</p>	<p>\$125+⁸</p>	<p>\$860,322</p>	<p>1945</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Adult day-care facility license⁹ 	<p>Authorizes holder to operate a facility that provides daytime health, social, and related support services to four or more individuals unrelated to the facility's owner through a structured, comprehensive program that is designed to meet the needs of elderly or handicapped adults with functional impairments. A facility must have at least one registered nurse or licensed vocational nurse on site eight hours per day and must have sufficient licensed nursing staff on site to meet its clients' nursing needs.</p>	103 ¹⁰	466	\$25	\$12,861	1979
<ul style="list-style-type: none"> • Assisted living facilities license 	<p>Authorizes holder to establish or operate an establishment that provides to four or more individuals unrelated to the facility's owner food, shelter, and personal care services, such as assistance with meals, dressing, movement, or bathing, the administration of medication, or general supervision of a person to maintain a private and independent residence within the establishment's facilities. Facilities are licensed by type according to a resident's physical and mental characteristics and the level of assistance required, as follows:</p> <p><u>Type A:</u> residents must be physically and mentally capable of evacuating the facility unassisted, be capable of following directions during an emergency, and not require routine attendance during nighttime sleeping hours.</p>	247	1,815	\$100+ ¹²	\$419,487	1978 ¹¹

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	<p><u>Type B</u>: residents may require staff assistance to evacuate, be incapable of following directions during an emergency, or require attendance during nighttime sleeping hours. Residents may not necessarily be permanently bedridden but may require assistance in transferring to and from a wheelchair.</p> <p><u>Type C</u>: a four-bed facility categorized by DADS as an adult foster care facility.</p> <p><u>Type E</u>: residents must be physically and mentally capable of evacuating the facility unassisted, be capable of following directions during an emergency, and not require routine attendance during nighttime sleeping hours. The facility may not provide substantial assistance with activities of daily living but may provide medication assistance and general supervision of a resident's welfare.</p>			<p>\$100+¹²</p> <p>\$50</p> <p>\$100+¹²</p>		
Nursing facility administrator license	Authorizes holder to administer, manage, supervise, or be in general administrative charge of a nursing facility.	242	2,079 ¹³	\$250 ¹⁴		1993
Intermediate care facility for persons with mental retardation or related conditions license	Authorizes holder to establish, conduct, or maintain a facility that is primarily for the diagnosis, treatment, or rehabilitation of persons with mental retardation or related conditions and provides in a protected setting continuous evaluation, planning, 24-hour supervision, coordination, and integration of health or rehabilitative services to help each resident function at the resident's greatest ability.	252	426 ¹⁵	\$150+ ¹⁶	\$68,980	1975

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Department of Agriculture¹⁷						
<i>Organics Licenses¹⁸</i>						
Organic distributor certificate ¹⁹	Authorizes holder to operate as a broker, trader, warehouse facility, or storage facility that handles organic products, or as a packing shed or operation that grades or sizes organic products.	18	44	\$400 or \$600 ²⁰	\$179,895	1993
Organic processor license	Authorizes holder to label, market, advertise, or represent as organic or transitional food or fiber products processed by the holder according to National Organic Standards established by the U.S. Department of Agriculture. Licenses are issued for the following categories:	18				1993
• Certified producer license	Authorizes holder with an on-farm state-licensed kitchen to process certified food ingredients, feed, or milk products in that facility.		11	\$50		
• Commercial feed processor license	Authorizes holder to process organic feed products.		2	\$600		
• Commercial food processor license	Authorizes holder to process organic food products.		51	\$600		
• Cotton ginning license	Authorizes holder to process organic cotton.		14	\$300		
• Textile manufacturing license	Authorizes a fiber processor to make finished textiles or unwoven products from organic fiber.		2	\$600		
Organic producer certificate (land)	Authorizes holder to sell or represent as organic agricultural crops grown by the holder in accordance with national standards established by the U.S. Department of Agriculture. ²¹	18	199	\$175+ ²²		1993

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Organic producer certificate (livestock)	Authorizes holder to sell or represent as organic livestock products raised by the holder in accordance with national standards established by the U.S. Department of Agriculture.	18	16	\$175+ ²³		1993
Organic retailer certificate ²⁴	Authorizes holder to sell organic products through a retail facility.	18	74	\$100 per location		2003
<i>Pesticide and Structural Pest Control Licenses</i>						
Commercial pesticide applicator license	Authorizes holder or an employee of the holder to apply restricted-use or state-limited-use pesticides to the property of another person for hire or compensation. Such a license is issued for specified service categories or subcategories determined by the purpose or method of application or the substance applied.	76	3,243	\$180	\$1,171,087	1975
Noncommercial pesticide applicator license	Authorizes holder who is not a private applicator or commercial applicator to use restricted-use or state-limited-use pesticides. Generally applies to persons employed by businesses applying such pesticides on their own property.	76	1,472	\$120		1975
Noncommercial pesticide political subdivision applicator license	Authorizes the holder of a pesticide applicator license who is employed by a political subdivision of the State of Texas or a federal agency operating in Texas to use restricted-use or state-limited-use pesticides.	76	4,929	\$12 ²⁵		1975
Private pesticide applicator license	Authorizes holder to use or supervise the use of restricted-use or state-limited-use pesticides for the purpose of producing an agricultural commodity on property owned or rented by the holder or the holder's employer or under the holder's general control, or on the property of another person if	76	32,597	\$60 ²⁶		1989 ²⁷

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	applied without compensation other than the trading of personal services between producers of agricultural commodities.					
Pesticide dealer's license	Authorizes holder to distribute state-limited-use or restricted-use pesticides or regulated herbicides. A pesticide dealer must obtain a license for each location in the state that is used for distribution.	76	1,567	\$240 ²⁸	\$24,960	1975
Structural pest control business license	Authorizes holder of a certified commercial applicator license or the employer of the holder of such a license to perform pesticide application inside buildings, including the fumigation of processed food, and around buildings and structures. Each business location, including branch offices, must be licensed.	1951 ²⁹	3,404	\$180 plus \$84 per technician employed	\$649,260	1971
Structural pest control certified commercial applicator license	Authorizes holder to provide training and direct supervision for pest inspections, identifications, and control measures of a licensed structural pest control business. This person may be a certified commercial applicator for only one business license location.	1951 ²⁹	5,928	\$85 (O) \$80 (R) plus \$84 per technician employed	\$807,039	1971
Structural pest control certified noncommercial applicator license	Authorizes holder to provide structural pest control services for his or her employer, which may be a political subdivision or the owner or operator or maintenance provider for an apartment building, day-care center, hospital, nursing home, hotel, motel, lodge, warehouse, food-processing establishment, or educational institution. Services include making inspections for the purpose of identifying infestations; making inspection reports, recommendations, estimates, or bids; and making contracts or submitting bids to perform services designed to prevent, control, or eliminate infestations.	1951 ²⁹	1,787	\$85 (O) \$80 (R)		1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Structural pest control commercial technician license	Authorizes holder, under the direct supervision of a structural pest control certified commercial applicator, to perform structural pest control services. Holder must be licensed for every business for which he or she is employed or for whom he or she performs pest control services. Before registering to take the licensing exam, the applicant must be registered as an apprentice and complete all apprentice training requirements.	1951 ²⁹	3,989	\$65(O) \$60(R)	\$401,927	1971
Structural pest control noncommercial technician license	Authorizes holder, under the direct supervision of a structural pest control certified noncommercial applicator, to perform structural pest control services for a governmental entity, apartment building, day-care center, hospital, nursing home, hotel, motel, lodge, warehouse, food-processing establishment, or educational institution.	1951 ²⁹		\$65(O) \$60(R)		1971
<i>Weights and Measures Licenses</i>						
Public weigher certificate of authority (county)	Authorizes holder to issue an official certificate declaring the accurate weight of a commodity requested to be weighed in the county for which the holder is elected or appointed.	13	1,263	\$120 per county ³⁰	\$41,040	1919
Public weigher certificate of authority (state)	Authorizes holder to issue an official certificate declaring the accurate weight of a commodity requested to be weighed anywhere in the state.	13	14	\$480 ³⁰		1981
Weights and measures service technician registration	Authorizes registrant to place into service or remove an out-of-order tag from any weighing or measuring device and to inspect liquefied petroleum gas meters or ranch scales.	13	1,220	\$80 ³¹		1996

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Weights and measures inspection company license	Authorizes holder to employ registered technicians to place devices into service, remove out-of-order tags, and inspect liquefied petroleum gas meters or ranch scales.	13	16	\$90 per class of equipment inspected ²⁸	\$38,160	1996
Weights and measures service company license	Authorizes holder to employ registered technicians to place devices into service and remove out-of-order tags.	13	459	\$90 per class of equipment serviced ²⁸		1996
<i>Other Licenses</i>						
Aquaculture facility license	Authorizes holder to produce and sell cultured species raised in a private pond, tank, cage, or other structure capable of holding cultured species in confinement wholly within or on private land or water or on permitted public land or water.	134	169	\$120 ³²	\$8,765	1969
Cooperative marketing association license	Authorizes an association or a group of five or more persons who produce agricultural products to engage in any activity connected with the production, cultivation, and care of citrus groves; the harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing, selling, or use of agricultural products of its members; the manufacturing or marketing of by-products of such products; the manufacturing, selling, or supplying to its members of machinery, equipment, or supplies; or the financing of any authorized activities.	52	177	\$25	\$5,900	1921
Egg broker license	Authorizes holder to act as an agent, for a fee or commission, in the sale or transfer of eggs between producers, or dealer-wholesalers as sellers and dealer-wholesalers, processors, or retailers as buyers.	132	5	\$420	\$534,710	1957

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Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Egg dealer-wholesaler license	Authorizes holder to buy eggs from producers or other persons on the egg dealer-wholesaler's own account and sell or transfer eggs to other dealer-wholesalers, processors, retailers, or other persons and consumers. Also allows holder to produce eggs from his or her own flock and dispose of any portion of this production on a graded basis.	132	360	\$20 to \$2,400 ³³		1957
Egg processor license	Authorizes holder to operate a plant for the purpose of breaking eggs for freezing, drying, or commercial food manufacturing.	132	5	\$60 to \$420 ³⁴		1957
Nursery or floral registration	Authorizes a nursery owner, dealer, or agent or a florist to sell nursery or floral items, or to offer for sale or lease, distribute, or grow such items for the purpose of sale or lease, or offer such items as an enticement to promote the sale or lease of other items.	71	19,864	\$75 to \$180 ³⁵	\$1,456,547	1909 ³⁶
Rose grading certificate of authority	Authorizes holder to grade or influence the grading of rose plants sold or offered for sale in Texas.	121	8	\$18 to \$120 ³⁷		1961
Perishable commodities license (handling and marketing of)	Authorizes a business or individual to handle, sell, or deal in Texas-grown citrus fruits and vegetables, as follows:	101	325	\$90 ³⁸	\$58,390	1963
• General license	Authorizes holder to buy for resale, sell, offer for sale, process, broker, or ship for the purpose of selling perishable commodities grown in this state; purchase on credit; take possession for consignment or handling on behalf of the producer or owner; or take possession for consignment or handling in a manner or under a contract that does not require or result in full payment to the producer, seller, or consignor in United States currency at the time of delivery or taking possession.					

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Buying agent license • Cash dealer license • Transporting agent license 	<p>Allows holder to purchase perishable commodities for a general license holder.</p> <p>Authorizes holder to purchase perishable commodities paid for in U.S. currency before or at the time of delivery or taking possession. Authorizes a retailer to sell perishable commodities if its annual sales of such commodities make up 50 percent or more of the retailer's total sales or if the retailer employs buying agents who buy directly from a producer.</p> <p>Authorizes holder to act for a general license holder in the transporting of perishable commodities.</p>		<p>365</p> <p>698</p> <p>620</p>	<p>\$10</p> <p>\$30</p> <p>\$10</p>		
Prescribed burn manager certificate	Authorizes holder to assume ultimate authority, responsibility, and liability insurance coverage for a prescribed burn, defined as the controlled application of fire to naturally occurring or naturalized vegetative fuels under specified environmental conditions in accordance with a written prescription plan.	153 ³⁹	14	\$50 ⁴⁰	\$500	1999
Public grain warehouse license	Authorizes holder to operate a grain elevator or a business engaged in the operation of a public grain warehouse where grain is stored. Also allows holder to store and commingle grain owned by others for compensation.	14	217	\$150+ ⁴¹	\$45,273	1969
Vegetable seed license	Authorizes holder to sell or offer, expose, or otherwise distribute for sale vegetable seed for planting purposes within the state.	61	71	\$120	\$8,520	1975

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Alcoholic Beverage Commission^{42,43}						
<i>Beer Licenses</i>						
Agent's beer license	Authorizes holder to represent beer manufacturers and distributors in selling, soliciting, displaying, advertising, or otherwise promoting beer sales.	73	11,856	\$50	\$592,800	1961
Branch distributor's license	Allows general distributor to expand its distributing business at another location.	66	60	\$373	\$22,380	1937
Brewpub license	Authorizes holder to manufacture, brew, bottle, can, package, and label malt liquor, ale, and beer, and to sell or offer without charge, on the premises of a brewpub, to ultimate consumers for consumption on or off those premises, malt liquor, ale, or beer produced by the holder in or from a lawful container, to the extent the sales or offers are allowed under the holder's other permits or licenses. License must be held with a permit or license authorizing on-premises consumption. Total production cannot exceed 5,000 barrels for each licensed location.	74	30	\$681	\$20,430	1993
General distributor's license	Authorizes holder to sell beer to other distributors, local distributors, private clubs, and retailers in the unbroken original packages from the manufacturer or distributor; to serve free beer for consumption on the licensed premises; and to distribute and sell beer to qualified persons for shipment outside the state.	64	89	\$598	\$53,222	1935
Importer's license	Authorizes distributor to import beer from outside the state.	67	145	\$138	\$20,010	1953
Importer's carrier's license	Authorizes a distributor who also holds an importer's license to import beer in vehicles owned or leased in good faith.	68	19	\$106	\$2,014	1949

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Local distributor's license	Authorizes holder to sell beer to local distributors, retailers, private clubs in the county where the holder resides, and other licensed distributors and to serve beer free for consumption on the licensed premises.	65	1	\$373	\$373	1935
Manufacturer's license	Authorizes holder to manufacture beer; to sell beer to a holder of a general, local, or branch distributor license and to qualified persons outside the state; and to dispense beer for on-premises consumption.	62	13	\$1,027 to \$8,677 ⁴⁴	\$14,851	1935
Manufacturer's warehouse license	Authorizes holder of a manufacturer's license whose annual production of beer in this state did not exceed 75,000 barrels on January 1, 1993, to have a warehouse where beer sales are lawful and to import beer from outside the state for delivery to the licensed warehouse for sale to beer distributors or for removal to other warehouses of the manufacturer.	62	5	\$535	\$2,675	1993
Nonresident manufacturer's license	Authorizes holder to have beer received in Texas only by the holder of an importer's license.	63	173	\$995	\$172,135	1961
Retail dealer's off-premise license	Authorizes holder to sell beer in a lawful container directly to the consumer but not for resale and not to be opened or consumed on or near the premises.	71	6,792	\$295	\$2,003,640	1935
Retail dealer's on-premise license (excludes Dallas, Harris, and Tarrant Counties)	Authorizes holder to sell beer for consumption on or off premises in a lawful container to the ultimate consumer but not for resale. Requires adequate seating area for customers.	69	1,152	\$385	\$443,520	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Retail dealer's on-premise license (Dallas, Harris, and Tarrant Counties)	Authorizes holder to sell beer for consumption on or off premises in a lawful container to the ultimate consumer but not for resale. Requires adequate seating area for customers.	69	357	\$1,235 (O) \$985 (R)	\$357,395	1935
Retail dealer's on-premise late hours license	Authorizes holder of a retail dealer's on-premise license or a wine and beer retailer's permit to sell and serve wine, beer, and ale until 2 a.m.	70	2,518	\$389	\$979,502	1969
Special three-day wine and beer permit	Authorizes holder to sell to ultimate consumers for on-premises consumption, wine, beer, and malt liquor containing alcohol in excess of one-half of 1 percent by volume but not more than 14 percent or 17 percent by volume (depending on the type of local-option election). May be issued to a nonprofit charitable, civic, or religious organization for the temporary serving of wine and beer at a picnic, celebration, or similar event sponsored by the organization.	27	1,878	\$201	\$377,478	1993
Storage license	Authorizes the holder of a customs broker's license to import beer, ale, and malt liquor from the holder of a nonresident manufacturer's license or a nonresident brewer's permit located in Mexico and to store the beverage until it can be shipped out of the state. The licensed premises must be in a "wet" area in a county with a population that does not exceed 300,000 and that borders Mexico.	75	0	\$286	0	1997
Temporary charitable auction permit	Authorizes holder to conduct an auction where the sale of the alcoholic beverage to be auctioned is authorized by a local-option election. May be issued only to a 501(c)(3) tax-exempt organization. Only one permit may be issued to an organization each calendar year, and the permit is valid for a maximum of five days.	53	67	\$196	\$13,132	1997

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Temporary license	Authorizes the holder of a retail dealer's on-premises license or a wine and beer retailer's permit to sell beer to ultimate consumers for consumption on or off the premises where sold. May be issued for a period of up to four days and only for the sale of beer at picnics, celebrations, or similar events.	72	1,812	\$201	\$364,212	1935
Temporary wine and beer retailer's permit	Authorizes holder to sell to ultimate consumers for consumption on or off the premises, beer, malt liquors, and wine containing alcohol in excess of one-half of 1 percent by volume but not more than 14 percent or 17 percent by volume (depending on the type of local-option election). May be issued for a period up to four days and only for a picnic, celebration, or similar event. May be issued only to the holder of a wine and beer retailer's permit or a mixed beverage permit or to a nonprofit historic preservation organization that has been in existence for at least 30 years.	27	10	\$201	\$2,010	1973
Wine and beer retailer's permit (excludes Dallas, Harris, and Tarrant Counties)	Authorizes holder to sell for consumption on or off the premises where sold, but not for resale, beer, ale, malt liquor, and wine containing alcohol of not more than 14 percent or 17 percent by volume (depending on the type of local-option election). Requires adequate seating area for customers.	25	6,102	\$410	\$2,501,820	1935
Wine and beer retailer's permit (Dallas, Harris, and Tarrant Counties)	Authorizes holder to sell for consumption on or off the premises where sold, but not for resale, beer, ale, malt liquor, and wine containing alcohol of not more than 14 percent or 17 percent by volume (depending on the type of local-option election). Requires adequate seating area for customers.	25	2,770	\$1,235 (O) \$985 (R)	\$2,837,450	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Wine and beer retailer's off-premise permit	Authorizes holder to sell for off-premises consumption only, but not for resale, wine, beer, and malt liquor containing alcohol in excess of one-half of 1 percent by volume and not more than 14 percent or 17 percent by volume (depending on the type of local-option election).	26	12,225	\$295	\$3,606,375	1973
<i>Wine and Liquor Permits</i>						
Agent's permit	Authorizes holder to represent only the holders of active permits within this state, other than retail permit holders, authorized to sell liquor to retail dealers in Texas.	35	10,991	\$50	\$549,550	1935
Airline beverage permit	Authorizes a corporation operating a commercial airline to sell or serve alcoholic beverages while operating in or through Texas.	34	21	\$2,339	\$49,119	1969
Beverage cartage permit	Authorizes certain permit holders (mixed beverage, private club registration, private club wine and beer, or private club exemption certificate) to transport alcoholic beverages to those licensed premises from the place of purchase.	44	6,668	\$84	\$560,112	1971
Bonded warehouse permit	Authorizes holder to store liquor for any permit holder who holds a public storage permit.	46	8	\$208	\$1,664	1937
Bonded warehouse permit (dry area)	Authorizes holder to store wine in a dry area for a winery permit holder who holds a public storage permit.	46	0	\$208	0	1993
Brewer's permit	Authorizes holder to manufacture ale and malt liquor and sell it only to wholesale permit holders in this state or to qualified persons outside the state.	12	12	\$1,745	\$20,940	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Carrier's permit	Authorizes holder to transport liquor into and out of the state and between points within the state, but not to dry areas.	41	491	\$137	\$67,267	1935
Caterer's permit	Authorizes a mixed beverage permit holder to sell mixed beverages on a temporary basis at a place other than the premises for which that permit is issued but only in areas "wet" for the sale of mixed beverages.	31	1,286	\$618	\$794,748	1971
Daily temporary mixed beverage permit	Authorizes holder to sell mixed beverages for consumption on the premises for which the permit is issued. May be issued to the holder of a mixed beverage permit for a location in the county where the mixed beverage permit is located. May be issued for a picnic, celebration, or similar event sponsored by a religious organization; political party or association supporting a proposed amendment or candidate for public office; or a charitable, civic, or fraternal organization with regular membership that has existed for more than five years. If issued to an organization, the organization may not hold more than 10 temporary permits in a calendar year.	30	563	\$221	\$124,423	1971
Daily temporary private club permit	Authorizes holder to serve alcoholic beverages for consumption on the premises for which the permit is issued. May be issued only to the holder of a private club registration permit, private club wine and beer permit, or private club exemption certificate permit for a location in the same county where the permits are located. It may be issued for a picnic, celebration, or similar event sponsored by a political party or association supporting a candidate for public office or proposed amendment;	33	171	\$242	\$41,382	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	a charitable, civic, or fraternal organization with a regular membership in existence more than five years; or a religious organization. If issued to an organization, the organization may not hold more than two temporary permits in a calendar year.					
Distiller's and rectifier's permit	Authorizes holder to manufacture, rectify, purify, and refine distilled spirits; mix liquor; bottle and package finished products; sell to wholesalers and qualified individuals outside this state; and import from nonresident sellers distilled spirits for manufacturing and rectifying purposes.	14	9	\$1,649	\$14,841	1983 ⁴⁵
Food and beverage certificate	May be issued to the holder of a beer retailer's on-premise permit or a wine and beer retailer's permit if food service is the primary business being operated on the licensed premises or to the holder of a mixed beverage permit or private club permit if food service is available on the premises and the gross receipts of alcoholic beverages do not exceed 50 percent of the business's total gross receipts. The holder must comply with statutory and regulatory provisions concerning the minimum number of entrees served, hours of service, and other requirements.	25, 28, 32, 69	6,054	\$345	\$2,088,630	1995
Forwarding center authority	Allows the member of the manufacturing tier who is transporting alcoholic beverages into the state or from point to point within the state to temporarily hold the beverages in a regional forwarding center. The center must be located in a "wet" area for the type of alcoholic beverages held. City and county certifications are required for this authority.	16 T.A.C. §35.6	21	\$1,118	\$23,478	1999
Industrial permit	Authorizes holder to use alcohol for industrial purposes tax free.	38	79	\$171	\$13,509	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Local cartage permit	Authorizes warehouse or transfer company to transport liquor within city limits. May also be issued to the holder of a package store permit or a wine-only package store permit to deliver liquor to a customer within the city or a two-mile limit thereof and to transport liquor within the county between the holder's other licensed premises.	43	909	\$116	\$105,444	1935
Local distributor's permit	Authorizes a package store permit holder to sell alcoholic beverages to the holder of a mixed beverage, private club registration, or private club exemption certificate permit.	23	655	\$292	\$191,260	1971
Local industrial alcohol manufacturer's permit	Authorizes holder to manufacture, rectify, and refine industrial alcohol; denature alcohol; or blend alcohol with petroleum to make a motor fuel and sell the fuel to consumers. Denatured alcohol may be sold only to the holder of a local industrial alcohol manufacturer's permit or an industrial permit or to qualified persons outside the state.	47	6	\$239	\$1,434	1979
Manufacturer's agent's permit	Authorizes holder to represent active nonresident seller's permit holders and to solicit and take orders from permit holders authorized to import liquors for resale.	36	1,072	\$50	\$53,600	1943
Manufacturer's agent's warehousing permit	Authorizes holder to receive malt beverages from the holder of a nonresident brewer's permit or a nonresident manufacturer's license and to store those beverages on its premises. Allows holder to ship, sell, or transfer malt beverages to permitted distributors or wholesalers as designated by the assigned territorial agreement issued by the actual manufacturer of the brands. Allows holder to return malt beverages to the manufacturer or	55	0	\$977	0	2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	brewer from which they were received. Allows holder to store malt beverages that are not labeled and approved for sale in this state and ship them to qualified persons in other states or jurisdictions where their sale is legal.					
Market research packager's permit	Authorizes holder to receive alcoholic beverages produced by and belonging to an authorized permit or license holder inside or outside the state and to place the beverages in containers or packaging materials as a service to the license or permit holder in connection with market research and return the beverages to the license or permit holder.	49	0	\$154	0	1985
Minibar permit	Authorizes a mixed beverage permit holder in a hotel to sell alcoholic beverages in a guest room of the hotel from a locked container in the room.	51	71	\$2,149 (O) \$899 to \$1,649 (R)	\$80,579	1989
Mixed beverage permit	Authorizes holder to sell mixed drinks from unsealed containers and wine, beer, ale, and malt liquor in containers of any legal size for on-premises consumption. May be issued to a boat that carries at least 350 passengers, weighs at least 90 gross tons, and is at least 80 feet long or to a regularly scheduled excursion boat that is licensed by the U.S. Coast Guard to carry passengers on the navigable waters of the state if the boat carries at least 45 passengers, weighs at least 35 gross tons, and is at least 55 feet long.	28	9,133	\$3,256 (O) \$1,006 to \$2,506 (R)	\$14,693,548	1971
Mixed beverage restaurant permit with food and beverage certificate	Authorizes a restaurant located in an area voted "wet" for the legal sale of mixed beverages in a restaurant that holds a food and beverage certificate to sell mixed drinks, wine, beer, ale, and malt liquor for consumption on the restaurant premises.	28	931	\$3,256 (O) \$1,006 to \$2,506 (R)	\$2,278,336	1995

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Mixed beverage late hours permit	Authorizes holder of a mixed beverage permit to sell mixed beverages until 2 a.m.	29	6,239	\$289	\$1,803,071	1971
Nonresident brewer's permit	Authorizes an out-of-state brewer that holds a nonresident seller's permit to sell ale or malt liquor to Texas permit holders qualified to import such beverages.	13	182	\$1,660	\$302,120	1961
Nonresident seller's permit	Authorizes a distiller, winery, importer, broker, or other entity to solicit, take orders for, or ship liquor, or to cause liquor to be shipped, to permit holders authorized to import liquor into Texas.	37	1,813	\$310	\$562,030	1943
Out-of-state winery direct shipper's permit	Authorizes holder to sell and deliver wine produced or bottled by the holder to ultimate consumers located in wet or dry areas in Texas.	54	482	\$75 ⁴⁶	\$36,150	2005
Package store permit	Authorizes holder to sell liquor, malt liquor, and vinous liquors on or from licensed premises at retail to consumers for off-premises consumption.	22	2,426	\$713	\$1,729,738	1935
Package store tasting permit	Authorizes holder to conduct product tasting of distilled spirits, wine, beer, and malt- or spirit-based coolers on the licensed premises of the holder's package store during regular business hours.	52	1,026	\$100	\$102,600	1993
Passenger train beverage permit	Authorizes a corporation operating a commercial passenger train to sell or serve alcoholic beverages while operating in or through Texas.	48	3	\$756	\$2,268	1985
Private carrier's permit	Authorizes holder to transport liquor from the place of purchase to its place of business and from its place of business to the purchaser in vehicles owned or leased in good faith. Holder must also have a wholesaler's permit, general Class B wholesaler's permit, local Class B wholesaler's permit, winery permit, wine bottler's permit, or distiller's and rectifier's permit.	42	352	\$137	\$48,224	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Private club exemption certificate permit	Authorizes a private club of a fraternal or veterans organization to serve alcoholic beverages to its members and their guests.	32	454	0	0	1971 ⁴⁷
Private club registration permit	Authorizes a private club to serve alcoholic beverages to its members and their guests.	32	871 1,068	Option 1: \$1,133 to \$3,383 ⁴⁸ Option 2: \$3,883 (O) \$2,383 or \$3,133 (R) ⁴⁹	\$1,100,744 \$2,809,794	1961
Private club beer and wine permit	Allows holder to have activities authorized under a private club permit restricted to the storage and service of wine, beer, and malt liquor for club members.	32	92	\$1,883	\$173,236	1993
Private club late hours permit	Authorizes the holder of a private club registration or private club exemption certificate permit to serve alcoholic beverages until 2 a.m.	33	495	\$899	\$445,005	1969
Private storage permit	Authorizes holder to store alcoholic beverages in a private warehouse owned or operated by the holder.	45	7	\$186	\$1,302	1935
Promotional permit	Authorizes holder to engage in activities to promote and enhance the sale of an alcoholic beverage in this state, including activities that take place on the premises of the holder of an alcoholic beverage permit or license or on behalf of a distiller, brewer, rectifier, manufacturer, winery, or wine bottler with whom the promotional permit holder has entered into a contract.	54	38	\$300 ⁵⁰	\$11,400	2005

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Public storage permit	Authorizes holder to store alcoholic beverages in a public storage warehouse that holds a bonded warehouse permit.	45	7	\$186	\$1,302	1935
Wholesaler permit	Authorizes holder to purchase and import distilled spirits, malt liquor, ale, and vinous liquor from nonresident seller's permit holders or from Class B or other wholesalers and to sell the beverages to authorized retailers and wholesalers.	19	139	\$2,173	\$302,047	1935
Wholesaler's (general Class B) permit	Authorizes holder to purchase and import malt liquor, ale, and vinous liquor from nonresident sellers, brewer's permit holders, and Class B or other wholesalers and to sell such beverages to retailers and wholesalers authorized to sell same.	20	131	\$577	\$75,587	1937
Wholesaler's (local Class B) permit	Authorizes holder to purchase and import malt and vinous liquor from nonresident sellers, brewer's permit holders, and Class B and other wholesalers and to sell the beverages to retailers in the county of residence and to authorized wholesalers.	21	3	\$352	\$1,056	1961
Wine and beer retailer's permit for an excursion boat	Authorizes an excursion boat to sell and serve beer and wine containing alcohol of up to 14 percent or 17 percent by volume (depending on the type of local-option election) for consumption on the boat while operating in a wet area.	25	11	\$365	\$4,015	1955
Wine and beer retailer's permit for a railway dining, buffet, or club car	Authorizes a railway dining, buffet, or club car to sell and serve beer and wine containing alcohol of up to 14 percent or 17 percent by volume (depending on the type of local-option election) for consumption on the car while operating in a wet area.	25	0	\$265	0	1935

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Wine bottler's permit	Authorizes holder to purchase and import wine from a nonresident seller or to purchase wine in this state from the holder of a wholesaler's, winery, or wine bottler's permit, and to bottle, re-bottle, label, package, and sell wine to permit holders in this state that are authorized to purchase and sell wine.	18	4	\$481	\$1,924	1937
Wine only package store permit	Authorizes holder to sell ale, malt liquor, wine, and vinous liquors on or from licensed premises at retail to consumers for off-premises consumption. A holder whose premises are located in a wet area allowing the legal sale of wine for off-premises consumption as determined by a local-option election may purchase, sell, or possess vinous liquor, but not ale or malt liquor, on those premises.	24	3,418	\$310	\$1,059,580	1949 ⁵¹
Winery permit	Authorizes holder to manufacture, bottle, label, and package wine containing up to 24 percent alcohol by volume; to sell wine to wholesalers and to winery and wine bottler's permit holders; to sell wine to ultimate consumers in unbroken packages for off-premises consumption; to sell wine to permit holders authorized to sell wine to ultimate consumers; and to dispense free wine for consumption on the winery premises.	16	155	\$373	\$57,815	1935
Winery storage permit	Authorizes holder of a winery permit whose winery is in a county that is all or partially dry to store the winery's product in a dry area of the county.	45	2	\$186	\$372	1993

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Appraiser Licensing and Certification Board⁵²						
Appraiser trainee authorization	Authorizes trainee to appraise those properties, under the supervision of a sponsoring certified appraiser, that the supervising appraiser is permitted to appraise.	1103	1,191	\$105 (O) \$110 (R)	\$785,010 ⁵³	1991
General real estate appraiser certificate	Authorizes holder to appraise all types of real property without regard to transaction value or complexity.	1103	2,250	\$310 (O) \$320 (R)		1989
Real estate appraiser license	Authorizes holder to appraise non-complex residential property of one to four units having a transaction value of less than \$1 million and complex residential property of one to four units having a transaction value of less than \$250,000. May also appraise vacant or unimproved land for which the highest and best use is for one- to four-family purposes. May not appraise subdivisions.	1103	934	\$235		1991
Residential real estate appraiser certificate	Authorizes holder to appraise residential property of one to four units without regard to transaction value or complexity and vacant or unimproved land that may be used for one- to four-family purposes. May not appraise subdivisions.	1103	2,380	\$260 (O) \$270 (R)		1989
Real estate appraiser provisional license	Authorizes holder to appraise the same types of properties as a state licensed real estate appraiser.	22 T.A.C. §153.8	52	\$235		2001
Texas Board of Architectural Examiners						
Architect registration	Authorizes holder to engage in the practice of architecture.	1051	10,190	\$155 to \$400 (O) ^{54,55} \$305 or \$400 (R) ^{55,56}	\$3,700,889	1937

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Interior designer registration	Authorizes holder to identify or develop solutions to problems relating to the function or quality of the interior environment by using specialized knowledge of interior construction, building codes, equipment, materials, and furnishings.	1053	4,862	\$355 to \$400 (O) ^{54,55} \$305 or \$400 (R) ^{55,56}	\$1,655,122	1991
Landscape architect registration	Authorizes holder to engage in landscape analysis, planning, and design, including the performing of such services as consultation, investigation, research, preparation of general development and detailed site design plans, and responsible supervision related to the development of landscape areas.	1052	1,225	\$355 to \$400 (O) ^{54,55} \$305 or \$400 (R) ^{55,56}	\$449,307	1969
Texas Department of Assistive and Rehabilitative Services						
Court interpreter certification	Authorizes holder to interpret court proceedings for a hearing-impaired individual.	57 ⁵⁷	142	\$175 (O) \$100 (R)	N/A	N/A
Texas Department of Banking⁵⁸						
Money services business license ⁵⁹	Authorizes holder to engage in, or advertise, solicit, or hold itself out as a person that engages in, the business of money transmission or currency exchange.	151	128	\$2,500 (O) ⁶⁰ \$500 or \$1,500 (R) ⁶¹	\$146,000	1963 and 1991 ⁶²
Perpetual care cemetery certificate of authority	Authorizes holder to maintain a cemetery for the benefit of which a perpetual care trust fund has been established.	712 ⁶³	243	\$500 (O) \$50 to \$1,000 (R) ⁶⁴	\$156,950	1945
Prepaid funeral contract seller permit	Authorizes holder to sell or offer to sell a contract or agreement for prepaid funeral benefits, whether trust-funded or insurance-funded.	154	413	\$500 (O) \$100 to \$3,000 (R) ⁶⁵	\$238,225	1955
Private child support enforcement agency registration	Authorizes an individual or nongovernmental entity to engage in the enforcement of child support ordered by a court or other tribunal for a fee or other consideration.	396	12	\$1,000+ ⁶⁶	\$6,500	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Board of Chiropractic Examiners						
Chiropractic license	Authorizes holder to analyze, examine, or evaluate the biomechanical condition of the spine and musculoskeletal system of the human body and perform nonsurgical, nonincisive procedures, including adjustment and manipulation, to improve the subluxation complex or the biomechanics of the musculoskeletal system.	201	4,544	\$325 (O) ⁶⁷ \$135 (R)	\$2,057,987 ⁶⁸	1949
Chiropractic facility registration	Authorizes registrant to own an office, clinic, or other place of business that provides chiropractic services by or under the direction of a licensed doctor of chiropractic.	201	3,175	\$65		1993
Chiropractic radiological technician registration	Authorizes registrant to perform radiologic procedures in a chiropractic facility.	201	45	\$35		1996 ⁶⁹
Office of Consumer Credit Commissioner⁷⁰						
Creditor registration	Authorizes registrant to originate, service, or collect on a retail installment sales transaction, including for the sale of a manufactured home. Excludes a contract for the purchase of a motor vehicle.	345, 347 ⁷¹	4,824	\$10 or \$15 ⁷²	\$81,045	1987 and 1993
Debt management services provider registration	Authorizes registrant, regardless of whether located in this state, to provide a debt management service to a consumer in this state. Such a service includes receiving money from a consumer for distribution to or among one or more of the consumer's creditors in full or partial payment of the consumer's obligations; arranging or helping a consumer arrange for such distribution of payments; or exercising control, directly or indirectly, or arranging for the exercise of control over a consumer's funds for the purpose of such distribution.	394	59	\$250 (O) \$430 (R)	\$25,300	2005

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Motor vehicle creditor license	Authorizes holder to initiate a retail installment sale transaction for the purchase of a motor vehicle.	348	5,562	\$100 (O) ⁷³ \$75 (R)	\$293,847	2001
Pawnshop license	Authorizes holder to engage in business as a pawnbroker, i.e., lend money on the security of pledged goods or purchase goods on condition that the goods may be redeemed or repurchased by the seller for a fixed price within a fixed period.	371	1,152	\$500+ (O) ⁷⁴ \$430+ (R) ⁷⁵	\$136,858	1971
Pawnshop employee license	Authorizes an individual employed by a pawnbroker to write a pawn transaction, buy or sell merchandise, or supervise another licensed pawnshop employee.	371	8,439	\$25 (O) ⁷⁶ \$15 (R)	\$105,630	1981
Property tax lender license ⁷⁷	Authorizes holder to provide to a property owner in Texas a property tax loan in connection with the transfer of a property tax lien or a contract for the foreclosure of a property tax lien to receive compensation over a certain amount in connection with such a loan.	351 ⁷⁸	0	\$200+ ⁷⁹	0	2007
Refund anticipation loan facilitator registration ⁷⁷	Authorizes registrant, individually or in conjunction or cooperation with another person, to act as a facilitator for a tax refund anticipation loan.	351 ⁷⁸	0	\$50 ⁸⁰	0	2007
Regulated loan license	Authorizes holder to make, transact, or negotiate a consumer loan or to contract for, charge, or receive, directly or indirectly, in connection with such a loan, a charge, including interest, compensation, consideration, or other expense, that in the aggregate exceeds the charges authorized under other law. Excludes a bank, savings bank, or savings and loan association, or an insurance premium finance company.	342	1,497	\$200+ ⁷⁹	\$1,842,297	1963

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Court Reporters Certification Board^{81,82}						
Court reporting firm registration	Authorizes registrant to provide court reporting services for use in litigation in the courts of this state and in grand jury, arbitration, county, or city proceedings.	52	383	\$200	\$37,600	2001
Shorthand reporter certificate	Authorizes holder to provide court reporting services for use in litigation in the courts of this state and in grand jury, arbitration, county, or city proceedings.	52	2,732	\$185 (O) \$210 (R)	\$325,090	1977
State Board of Dental Examiners						
Dentist license	Authorizes holder to clean, diagnose, and provide surgical or adjunctive treatment for a disease, pain, injury, deficiency, deformity, or physical condition of human teeth, oral cavity, alveolar process, gums, jaws, or masticatory structures. Also authorizes holder to perform various functions related to the construction, fitting, adjustment, or repair of dental appliances, dentures, bridges, dental plates, or other substitutes for human teeth.	251, 256-258, 267	12,516 ⁸³	\$355 (O) ⁸⁴ \$316 (R)	\$1,550,239 ⁸⁵	1889
Dental hygienist license	Authorizes holder to perform certain tasks delegated by a dentist, except diagnosis of a dental disease or ailment; prescription of a treatment or a regimen; prescription, order, or dispensation of a medication; or any procedure that is irreversible or involves the intentional cutting of soft or hard tissue by any means.	256, 262	9,763	\$75 (O) \$69 (R)	\$697,265	1951
Dental laboratory registration	Authorizes registrant to operate a dental laboratory or provide or offer to provide dental laboratory services, such as the making, assembly, processing, production, repair, relining, or adjustment of a	266	1,007	\$105 (O) \$101 (R)	\$103,556	1973

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	prosthodontic or orthodontic dental appliance, a full or partial denture, a fixed or removable dental bridge, a dental plate of false teeth, an artificial restoration, or a substitute or corrective device for any part of the human teeth, gums, jaws, or alveolar process; or the fitting of a dental appliance, a denture, a bridge, a plate, false teeth, an artificial restoration, or a substitute or corrective device for the human teeth, gums, or jaws to or on a dental model, impression, or cast of any part of the human teeth, gums, jaws, or alveolar process.					
Dental assistant registration	Authorizes registrant to be employed by and work in the office of a licensed and practicing dentist and perform one or more delegated dental acts under the direct supervision, direction, and responsibility of the dentist, including the application of a pit and fissure sealant.	265	14,762	\$50 (O) \$25 (R)	\$905,095	1991 ⁸⁶
Mobile dental facility or portable dental unit permit	Authorizes holder to operate a mobile dental facility or portable dental unit.	254 ⁸⁷	17	\$50	\$950 ⁸⁸	2001
State Board of Educator Certification^{89,90}						
Classroom teacher certificate	Authorizes holder to be employed by a school district in a classroom teacher assignment that matches the subject area and grade level of the certificate.	21	55,889	\$75	\$4,191,675	1905
Educational aide certificate	Authorizes holder to perform certain tasks under the direction and supervision of a certified teacher or teaching team, including assisting a teacher with selecting, planning, organizing, and evaluating classroom activities, and helping with clerical and supervisory duties.	21	10,461	\$30	\$313,830	1995

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Educational diagnostician certificate	Authorizes holder to provide educational assessment and evaluation for students in early childhood programs through grade 12.	21	332	\$75	\$24,900	1996 ⁹¹
Instructional educator (other than classroom teacher)	Authorizes holder, including a reading specialist, to teach students in early childhood programs through grade 12.	21	140	\$75	\$10,500	2003
Master teacher certificate	Authorizes holder to serve as a mentor to other teachers and to teach in a specific subject area.	21	229	\$75	\$17,175	1984
Out-of-country standard classroom certificate	Authorizes an educator certified or otherwise credentialed by another country, and who meets certain other accreditation and examination requirements, to be employed by a school district in a classroom teacher assignment that matches the subject area and grade level of the certificate.	21	551	\$75	\$41,325	1995
Out-of-state standard classroom certificate	Authorizes an educator certified or otherwise credentialed by another state, and who meets certain other accreditation and examination requirements, to be employed by a school district in a classroom teacher assignment that matches the subject area and grade level of the certificate.	21	11,759	\$75	\$881,925	1955
Principal certificate	Authorizes holder to serve as the principal or assistant principal of a public elementary, middle, or secondary school.	21	2,765	\$75	\$207,375	1984
School counselor certificate	Authorizes holder to provide counseling services to students in regular education programs, career and technology education programs, and special education programs in prekindergarten through grade 12.	21	959	\$75	\$71,925	1995
School librarian certificate	Authorizes holder to serve as a librarian in a public elementary, middle, or secondary school.	21	353	\$75	\$26,475	1995

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Superintendent certificate	Authorizes holder to serve as the superintendent of a Texas public school district.	21	310	\$75	\$23,250	1905
Temporary teacher certificate	Authorizes holder to teach only in a subject area of the curriculum in which the person holds a baccalaureate or advanced degree from an institution of higher education with an academic major related to that area of the curriculum.	21	0	\$50	0	1905 ⁹²
Visiting international teacher certificate ⁹³	Authorizes a teacher certified in another country and participating in an officially recognized teacher exchange or visiting teacher program to be employed by a public school district that participates in that program.	21	0	\$50 ⁹⁴	0	2004
Texas Board of Professional Engineers						
Engineer license	Authorizes holder to perform any public or private service or creative work in which adequate performance requires engineering education, training, and experience in applying special knowledge or judgment of the mathematical, physical, or engineering sciences.	1001	49,695	\$250 (O) ⁹⁵ \$235 (R) ⁹⁵	\$8,170,620	1937
Engineering firm registration	Authorizes a sole proprietorship, firm, partnership, corporation, or joint stock association to engage in the practice of engineering in this state if the practice is carried on only by engineers.	1001	7,316	Sole proprietor: \$25 Other firms: \$75 (O) ⁹⁶ \$150 (R)	\$827,980	1937
Texas Commission on Environmental Quality^{97,98,99}						
Backflow prevention assembly tester license	Authorizes holder to repair or test the installation or operation of backflow prevention assemblies. ¹⁰⁰	341	4,849	\$105	\$110,181	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Customer service inspector license	Authorizes holder to inspect homes and businesses to identify potential or actual cross-connections or other contaminant hazards in public water systems.	341	1,782	\$105	\$40,025	2001
Landscape irrigation installer license	Authorizes holder to connect a landscape irrigation system to a water supply under the direct supervision of a licensed irrigator.	1903 ¹⁰¹	6,220	\$70	\$228,765	1979
Landscape irrigator license	Authorizes holder to sell, design, consult, install, maintain, alter, repair, or service an irrigation system, including the connection of such a system to a private or public, raw or potable water supply or any water supply, including water wells and unincorporated areas of the state.	1903 ¹⁰¹		\$70		1979
Leaking petroleum storage tank corrective action specialist registration	Authorizes holder to undertake any assessment (except an initial site assessment), monitoring, or remedial activities to investigate the extent of, and to remediate, contamination at the site of a leaking petroleum storage tank.	26 ¹⁰²	286	\$150	\$21,290	2001
Leaking petroleum storage tank project manager license	Authorizes holder to perform or supervise any assessment (except an initial site assessment), monitoring, or remedial activities to investigate the extent of, and to remediate, contamination at the site of a leaking petroleum storage tank.	26 ¹⁰²	1,078	\$70	\$3,370	2001
Municipal solid waste facility supervisor license	Authorizes holder to supervise or manage the operation of a municipal solid waste facility, or the collection or transportation of municipal solid waste.	361	1,189	\$105	\$44,015	1981
On-site sewage facility (OSSF) apprentice registration	Authorizes holder to undertake an OSSF training program under the direct supervision of a licensed installer.	366	6,904	\$50	\$184,591	1987 ¹⁰³

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
On-site sewage facility designated representative license	Authorizes holder to be designated by an authorized agent of the commission to review permit applications, site evaluations, or planning materials, or to conduct inspections of OSSFs.	366		\$70		1993
On-site sewage facility installer license	Authorizes holder to install standard OSSF systems, including septic tanks, absorptive drainfields, unlined evapotranspirative drainfields, leaching chambers, gravelless pipe, and pumped effluent drainfields.	366		\$70		1987
On-site sewage facility site evaluator license	Authorizes holder to conduct preconstruction site evaluations, including visiting a site and performing soil analysis, a site survey, or other activities necessary to determine the suitability of a site for an OSSF.	366		\$70		2001
On-site sewage facility maintenance company registration	Authorizes a person or business to provide service or maintenance for one or more on-site sewage disposal systems using aerobic treatment. Registrant must employ one or more individuals who are authorized to maintain OSSFs.	366	419	\$70	\$96,010	2005
Public water system operator license (Classes A, B, C, and D) ¹⁰⁴	Authorizes holder to perform process control duties in the production or distribution of drinking water.	341	14,350	\$70 or \$105 ¹⁰⁵	\$4,074,057	1989
Water operations company registration	Authorizes registrant, on a contract basis, to operate a public water system.	341		\$75 to \$400 ^{106,107}		1985
Underground storage tank contractor registration	Authorizes registrant, on a contract basis, to offer to undertake, represent itself as being able to undertake, or undertake the installation, repair, or removal of an underground storage tank. Registrant must have a licensed on-site supervisor at the site at all times during the critical junctures of the installation, repair, or removal.	26 ¹⁰²	271	\$150	\$20,570	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Underground storage tank on-site supervisor license	Authorizes holder to supervise the installation, repair, or removal of an underground storage tank.	26 ¹⁰²	877	\$70	\$17,880	1989
Wastewater operator license (Classes A, B, C, D, I, II, and III) ¹⁰⁸	Authorizes holder to operate a domestic wastewater treatment facility or wastewater collection system.	26 ¹⁰²	10,892	\$70 or \$105 ¹⁰⁹	\$457,480	1985
Wastewater operations company registration	Authorizes registrant, on a contract basis, to operate a domestic water facility or wastewater treatment facility.	26 ¹⁰²		\$75 to \$400 ^{106,107}		1985
Water treatment specialist certification (I, II, and III)	Authorizes holder, on a contract basis, to install, exchange, service, and repair residential, commercial, or industrial water treatment equipment and appliances.	1904 ^{101,110}	520	\$105	\$28,626	1981
Texas Department of Family and Protective Services^{111,112}						
Child-care administrator license	Authorizes holder to supervise and exercise direct administrative control over a child-care institution and be responsible for its program and personnel, regardless of whether the person has an ownership interest in the institution or shares duties with other persons.	43	948	\$50 ¹¹³	\$47,762	1974
Child-placing agency administrator license	Authorizes holder to supervise and exercise direct control over a child-placing agency and be responsible for its program and personnel, regardless of whether the person has an ownership interest in the agency or shares duties with other persons.	43		\$50 ¹¹³		2005
Child-care center license	Authorizes holder to care for seven or more children under 14 years of age for less than 24 hours per day at a location other than the license holder's home.	42	9,319	\$35 ^{114,115,116}	\$1,594,524	1949

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Child-care home license	Authorizes holder to provide child care for compensation in the license holder's own residence for children under 14 years of age. The total number of children in care at any given time, including children related to the caregiver, may not exceed 12.	42	1,536	\$35 ^{114,115,116}		1975
Child-care home registration	Authorizes holder to provide regular child care in the registrant's own residence for not more than six children under 14 years of age and child care after school hours for not more than six additional elementary school children. The total number of children in care at any given time, including children related to the caregiver, may not exceed 12.	42	7,214	\$35 ^{114,115,116}		1975
Child-placing agency license	Authorizes holder (which may be a person, agency, or organization, other than a child's parent) to place or plan for the placement of a child in an adoptive home or other residential care setting.	42	332	\$50 (O) \$100 (R) ^{114,115,116}		1949
Employer-based day-care facility certificate of compliance	Authorizes a small employer (defined as a corporation, partnership, sole proprietorship, or other legal entity that employs fewer than 50 full-time employees) to provide care for not more than 12 children of its employees. The children must be under 14 years of age and the care provided for less than 24 hours per day in a location on the employer's premises in the same building where the parent works.	42	0 ¹¹⁷	\$35 ^{114,115,116}		2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Family home listing	Authorizes caretaker, who must be at least 18 years of age, to provide child care for compensation in the caretaker's own residence for three or fewer children under 14 years of age, excluding children who are related to the caretaker. Care must be provided for at least four hours a day, three or more days a week, and for more than nine consecutive weeks. The total number of children in care at any given time, including children related to the caregiver, may not exceed 12.	42	3,900	\$20 ¹¹⁸		1997
General residential operation license	Authorizes holder to provide child care for 13 or more children up to 18 years of age. Such care may include treatment services and programmatic services. These operations include formerly titled emergency shelters, operations providing basic child care, operations serving children with mental retardation, and halfway houses.	40 T.A.C. 748.3	140	\$35 ^{114,115,116}		1975
Maternity home license	Authorizes holder to provide care for four or more minor and adult women and their children during pregnancy and during the six-week postpartum period, within a period of 12 months.	249 ¹¹⁹	16	\$50 ^{115,116,120}		1993
Residential treatment center license	Authorizes holder exclusively to provide treatment services for emotional disorders for 13 or more children up to 18 years of age.	40 T.A.C. 748.3	87	\$35 ^{114,115,116}		1975
Texas Commission on Fire Protection¹²¹						
Fire service individual certification	Authorizes, but does not require, ¹²² the holder to be a permanent full-time employee of a fire department or governmental entity and to be appointed duties in one of the following categories or disciplines: fire suppression, fire inspection, fire and arson investigation, marine firefighting, aircraft rescue firefighting, fire training, and fire education.	419	33,887	\$20 (O) \$25 (R)	\$806,180	1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Fire service facility certification	Authorizes an institution or facility to operate a school by or for the state or a local government specifically for training fire protection personnel or recruits.	419	320	\$20 (O) \$25 (R)	\$7,390	1971
Texas Funeral Service Commission						
Individual licenses ¹²³						
• Funeral director	Authorizes holder to engage in the preparation, other than by embalming, of a dead human body for burial or other disposition for compensation and to arrange for its disposition from the time of taking charge of the body until its inurnment, interment, or entombment or its transportation out of this state.	651	5,200 ¹²⁴	\$50	\$62,440	1935
• Embalmer ¹²⁵	Authorizes holder to disinfect or preserve a dead human body for compensation using chemical substances, fluids, or gases introduced into the body by injection or direct application into organs or cavities or by other means of disinfecting or preserving the body.	651		\$50		1903
Establishment licenses ¹²⁶						
• Funeral establishment	Authorizes holder to engage in funeral business, including the care and preparation for burial or transportation of a dead human body.	651	1,355 ¹²⁷	\$417	\$58,000	1953
• Commercial embalmer establishment	Authorizes holder to embalm for licensed funeral establishments. ¹²⁸	651		\$417		1971
• Cemetery establishment	Authorizes holder to conduct a cemetery business. ¹²⁹	651		\$417		2003 ¹³⁰
• Crematory	Authorizes holder of a funeral establishment or commercial embalmers establishment license or the owner or operator of a perpetual care cemetery to operate a crematory and perform cremation services.	651		\$417		2003 ¹³⁰

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Board of Professional Geoscientists						
Geoscientist license	Authorizes holder to engage, or offer to engage, in the practice of professional geoscience in this state, including consulting, investigating, evaluating, planning, designing, or directly supervising the construction of a public or private project where the public welfare or the safeguarding of life, health, and property is concerned or involved, when such professional service requires the application of geoscience principles and the interpretation of geoscience data.	1002	4,860	\$200 (O) \$168 (R)	\$476,370	2001
Geoscience firm registration	Authorizes a sole proprietorship, corporation, partnership, or joint stock association to engage, or offer to engage, in the public practice of professional geoscience in this state. Any geoscience work must be performed by, or under the supervision of, a licensed geoscientist who is in responsible charge of the work and who signs and seals all geoscientific reports, documents, and other records, or the principal business of the firm or corporation must be the public practice of geoscience as determined by board rule and a principal of the firm or an officer or director of the corporation is a licensed geoscientist and has overall supervision and control of the geoscientific work performed in this state. Exempt from registration requirements is a firm that engages in the practice of both engineering and geoscience.	1002 22 T.A.C. §851.30	140	Sole proprietor: \$25 Other firms: \$75 (O) \$150 (R)	\$10,500	2003 ¹³¹
Texas Department of State Health Services¹³²						
<i>Health-related Professions¹³³</i>						
Sex offender treatment provider license	Authorizes holder to provide mental health or medical services for the rehabilitation of sex offenders.	110	258	\$300 (O) ¹³⁴ \$200 (R) ¹³⁴	\$78,081	1993

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Midwife license	Authorizes holder to: provide the necessary supervision, care, and advice to a woman during normal pregnancy, labor, and the postpartum period; conduct a normal delivery of a child; and provide normal newborn care.	203	112	\$275 (O) \$550 (R) ¹³⁵	\$54,526	1983
Optician registration	Authorizes holder to dispense spectacles or contact lenses. ¹³⁶	352	221	\$50 or \$100 ¹³⁷	\$49,792	1991
Speech-language pathologist and audiologist license ¹³⁸	Authorizes holder to apply nonmedical principles, methods, and procedures in the evaluation and habilitative or rehabilitative treatment of communication disorders, including speech, voice, language, or hearing disorders, oral pharyngeal or vestibular function, or cognitive processes.	401	6,481	\$75 or \$150 (O) ¹³⁹ \$50 or \$100 (R) ¹³⁹ \$75 ¹⁴⁰ \$55 ¹⁴¹	\$739,269	1983
Hearing instrument fitter and dispenser license	Authorizes holder to fit and dispense hearing instruments. Authorized activities include measuring human hearing by using an audiometer or other means, making impressions for ear molds, and post-fitting counseling. A temporary training permit or apprentice permit may be issued to an individual authorizing the permittee to work under the supervision of a licensee.	402	367	\$205 ¹⁴² \$405 ¹⁴³	\$148,699	1969
Athletic trainer license	Authorizes holder to take measures to prevent, recognize, assess, manage, treat, dispose of, and recondition athletic injuries and illnesses under the direction of a physician licensed in this state or another qualified, licensed health professional who is authorized to refer for health care services within the scope of the person's license. ¹⁴⁴	451	1,461	\$100 (O) \$125 or \$250 (R) ¹⁴⁵	\$355,867	1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<p>Massage therapy licenses</p> <ul style="list-style-type: none"> • Massage therapist license • Massage establishment license • Massage therapy educational program license (massage school and massage therapy instructor) • Massage therapy instructor license • Massage therapy continuing education provider license 	<p>Authorizes holder to act as a massage therapist, massage school, massage therapy instructor, or massage establishment. The specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to practice massage therapy.</p> <p>Authorizes holder to operate a place of business that advertises massage therapy or offers massage therapy as a service. Licensed massage therapists working as solo practitioners are not required to hold an establishment license.</p> <p>Authorizes holder to teach, at a minimum, the 300-hour course of instruction required for licensure as a massage therapist. A massage therapy school must have at least two instructors. A school must obtain an additional license for each educational program offered at a location other than the main campus. The initial license and annual renewal fee is \$750. A massage therapy instructor licensed as a school-based instructor may instruct only at a massage school.</p> <p>Authorizes holder to provide to one or more students the department-approved course of instruction in massage therapy. An instructor licensed as an independent massage therapy instructor may instruct either independently or at a massage therapy school.</p> <p>Authorizes holder to provide massage therapy continuing education.</p>	<p>455</p>	<p>14,353</p>	<p>\$106 (O) \$50 or \$100 (R)¹⁴⁶</p> <p>\$300 (O) \$150 or \$300 (R)¹⁴⁶</p> <p>\$2,800 (O) \$1,000 or \$2,000 (R)¹⁴⁶</p> <p>\$200 (O) \$100 or \$200 (R)¹⁴⁶</p> <p>\$200 (O) \$100 or \$200 (R)¹⁴⁶</p>	<p>\$2,006,001</p>	<p>1985</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Marriage and family therapist license	Authorizes holder to provide professional therapy services to individuals, families, or married couples, individually or in groups, that involve applying family systems theories and techniques.	502	1,756	\$90 (O) \$130 (R) ¹⁴⁷	\$223,434	1991
Professional counselor license	Authorizes holder to apply mental health, psychotherapeutic, and human development principles to: facilitate human development and adjustment; prevent, assess, evaluate, and treat certain mental, emotional, or behavioral disorders; conduct assessments and evaluations to establish treatment; and plan, implement, and evaluate certain treatment plans.	503	9,136	\$100	\$850,241	1981
Chemical dependency counselor license	Authorizes holder to assist an individual or group to develop an understanding of chemical dependency problems, define goals, and plan action.	504	3,750	\$75 ¹⁴⁸	\$403,470	1991
<p data-bbox="71 872 338 898">Social worker licenses</p> <ul style="list-style-type: none"> <li data-bbox="100 1081 457 1172">• Baccalaureate social worker or licensed master social worker license <li data-bbox="100 1289 470 1315">• Clinical social worker license 	<p data-bbox="499 872 1087 1060">Authorizes holder to apply social work theory to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, or communities. The specific authorization provided by each class of license is as follows:</p> <p data-bbox="499 1081 1087 1172"><i>Baccalaureate social worker license.</i> Authorizes holder to engage in basic generalist practice that includes a certain range of activities.</p> <p data-bbox="499 1179 1087 1269"><i>Master social worker license.</i> Authorizes holder to apply specialized knowledge and advanced practice skills in those same activities.</p> <p data-bbox="499 1289 1087 1445">Authorizes holder to apply specialized clinical knowledge and advanced clinical skills in assessing, diagnosing, and treating mental, emotional, and behavior disorders, conditions, and addictions.</p>	505	10,783	<p data-bbox="1444 1081 1570 1140">\$60 (O)¹⁴⁹ \$80 (R)</p> <p data-bbox="1444 1289 1537 1315">\$100¹⁴⁹</p>	\$738,785	1981

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> Licensed clinical social worker - advanced practitioner 	Authorizes holder to apply specialized clinical knowledge and advanced clinical skills in assessing, diagnosing, and treating mental, emotional, and behavior disorders, conditions, and addictions.			\$120 ¹⁵⁰		
Medical radiologic technologist certification	Authorizes holder to perform a radiologic procedure involving the administration of radiation by means of a diagnostic X-ray or a nuclear medicine procedure under the direction of a licensed medical practitioner. ¹⁵¹	601	11,716	\$25 to \$1,000 ¹⁵² \$75 (O) \$60 (R) ¹⁵³	\$786,373	1987
Medical physicist license	Authorizes holder to apply certain protocols of physics to ensure the correct quality, quantity, and placement of radiation during the performance of a radiological procedure prescribed by a licensed practitioner. Licensure provisions allow a holder to practice in one or more specialties as a diagnostic radiological physicist, therapeutic radiological physicist, medical nuclear physicist, or medical health physicist.	602	319	\$125 (O) ¹⁵⁴ \$250 (R) ¹⁵⁵	\$71,062	1991
Perfusionist license	Authorizes holder to perform an activity, including the operation of extracorporeal circulation or auto-transfusion equipment, necessary to support, treat, measure, or supplement the cardiovascular, circulatory, or respiratory system, or a combination of those activities, or ensure the safe management of a patient's physiologic functions during open-heart surgery by monitoring the systems under the order and supervision of a licensed physician.	603	155	\$175 (O) \$175 to \$300 (R) ¹⁵⁶	\$47,484	1993
Respiratory care practitioner certificate	Authorizes holder to treat, manage, control, evaluate, or care for a patient who has a deficiency or abnormality associated with the cardiorespiratory system.	604	6,324	\$120 (O) \$100 (R) ¹⁵⁷	\$668,268	1985

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<p>Orthotist and prosthetist licenses</p> <ul style="list-style-type: none"> • Prosthetist or orthotist license • Prosthetist/orthotist license • Prosthetist or orthotist assistant license • Prosthetist/orthotist assistant license • Prosthetic or orthotic technician registration • Prosthetic/orthotic technician registration • Prosthetic or orthotic student registration 	<p>Authorizes holder to provide medical services to identify, prevent, correct, or alleviate acute or chronic neuromuscular or musculoskeletal dysfunctions of the human body. The specific authorization provided by each class of license is as follows:</p> <ul style="list-style-type: none"> Authorizes holder to provide either comprehensive prosthetic care or comprehensive orthotic care, but not both. Authorizes holder to provide both comprehensive prosthetic care and comprehensive orthotic care. Authorizes holder to provide ancillary patient care in the discipline in which the assistant's supervisor is licensed. Authorizes holder to provide ancillary patient care under the supervision of either a licensed prosthetist or a licensed orthotist. Authorizes registrant to fabricate, assemble, or service either prostheses or orthoses, as specified, under the direction of an appropriate license holder. Authorizes registrant to fabricate, assemble, or service both prostheses and orthoses under the direction of an appropriate license holder. Authorizes registrant to work under the direct supervision of a licensed prosthetist, orthotist, or prosthetist/orthotist who is licensed in the discipline of the student's clinical residency. 	605	436	<p>\$300</p> <p>\$400</p> <p>\$200</p> <p>\$250</p> <p>\$100</p> <p>\$150</p> <p>\$75</p>	\$157,620	1997

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Prosthetic/orthotic student registration • Prosthetic or orthotic facility accreditation • Prosthetic/orthotic facility accreditation 	<p>Authorizes registrant to work under the direct supervision of a licensed prosthetist, orthotist, or prosthetist/orthotist.</p> <p>Authorizes the practice of prosthetics or orthotics at a particular physical site.</p> <p>Authorizes the practice of prosthetics and orthotics at a particular physical site, which may be a building or office.</p>			<p>\$100</p> <p>\$400</p> <p>\$500</p>		
<p>Dietitian licenses</p> <ul style="list-style-type: none"> • Dietitian license • Dietitian, provisional license • Dietitian, temporary license 	<p>Authorizes holder to apply and integrate certain scientific principles for the proper nourishment, care, and education of an individual or group to achieve and maintain human health. A dietitian also may obtain a provisional or temporary license as follows:</p> <p>Authorizes holder to apply and integrate scientific principles of food, nutrition, biochemistry, physiology, management, and behavioral and social sciences under different health, social, cultural, physical, psychological, and economic conditions for the proper nourishment, care, and education of individuals or groups to achieve and maintain the health of people. The practice of dietetics includes the development, management, and provision of nutrition services.</p> <p>Authorizes holder to practice under the supervision and direction of a licensed dietitian.</p> <p>Authorizes a dietitian licensed by another state to practice in Texas pending approval of an application for a Texas license.</p>	701	2,067	<p>\$108 (O) \$90 (R)¹⁵⁸</p> <p>\$54 (O) \$45 (R)¹⁵⁹</p> <p>\$54¹⁶⁰</p>	\$211,955	1983

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<i>Health Facilities</i>						
Hospital licenses <ul style="list-style-type: none"> • General hospital license • Special hospital license 	<p>Authorizes holder to operate either a general hospital or a special hospital as follows:</p> <p>Authorizes holder to operate an establishment as a general hospital that offers services, facilities, and beds for use for more than 24 hours for two or more unrelated individuals requiring diagnosis, treatment, or care for illness, injury, deformity, abnormality, or pregnancy and that regularly maintains, at a minimum, clinical laboratory services, diagnostic X-ray services, treatment facilities including surgery or obstetrical care or both, and other definitive medical or surgical treatment of similar extent.</p> <p>Authorizes a holder to operate an establishment as a special hospital that offers services, facilities, and beds for use for more than 24 hours for two or more unrelated individuals who are regularly admitted, treated, and discharged and who require services more intensive than room, board, personal services, and general nursing care; provides clinical laboratory facilities, diagnostic X-ray facilities, treatment facilities, or other definitive medical treatment; has a medical staff in regular attendance; and maintains records of the clinical work performed for each patient.</p>	241	373	\$39 to \$10,000 ¹⁶¹	\$2,622,565	1921 ¹⁶²
Ambulatory surgical center license	Authorizes holder to operate a facility that primarily provides surgical services to patients who do not require overnight hospital care.	243	203	\$5,200 ^{163,164}	\$1,016,962	1985
Birthing center license	Authorizes holder to establish or operate a birthing center that is neither a hospital nor the residence of the woman giving birth.	244	22	\$2,000 ¹⁶⁵	\$36,020	1985 ¹⁶⁶

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Abortion facility license	Authorizes holder to establish or operate an abortion facility.	245	27	\$5,000 ¹⁶⁷	\$153,632	1985
Special care facility license	Authorizes holder to establish or operate a facility or institution that provides a continuum of nursing or medical care or services primarily to persons with acquired immune deficiency syndrome or other terminal illnesses, including a special residential care facility.	248	4	\$300 to \$2,500 ¹⁶⁸	\$16,205	1989
End-stage renal disease facility license	Authorizes holder to operate a facility that provides dialysis treatment or dialysis training to individuals with end-stage renal disease.	251	238	\$3,500 to \$6,700 ¹⁶⁹	\$1,142,437	1995
Chemical dependency treatment facility license	Authorizes holder to operate a facility that provides a planned, structured, and organized program designed to initiate and promote a person's chemical-free status or to maintain the person free of illegal drugs.	464	299	\$35 to \$1,200 ¹⁷⁰	\$574,430	1977 ¹⁷¹
Narcotic drug treatment program permit	Authorizes holder to operate a specialized medical clinic for the treatment of patients addicted to heroin or other opiates.	466	48	\$60 to \$1,000 ⁺¹⁷²	\$357,160	1989
Private mental hospital or mental health services facility license	Authorizes holder to operate a mental hospital or community center or other entity designated to provide mental health services.	577	15	\$3,000 ⁺¹⁷³	\$384,461	1957
General Health						
Youth camp licenses	Authorizes holder to own, operate, control, or supervise a youth camp. Authorization provided by each of the two classes of license is as follows:	141	542		\$164,496	1973
• Day youth camp license	Authorizes holder to operate a youth camp that is open primarily between 7 a.m. and 10 p.m. for a period of four or more consecutive days but that may incidentally offer not more than two overnight stays each camp session.			\$250 (O) \$50 or \$150 (R) ¹⁷⁴		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> Residential youth camp license 	<p>Authorizes holder to operate a youth camp that for a period of four or more days continuously provides residential services, including overnight accommodations for the camp session's duration.</p>			<p>\$750 (O) \$100 or \$450 (R)¹⁷⁵</p>		
<p>Renderer licenses</p> <ul style="list-style-type: none"> Rendering establishment license Related station license Transfer station license Dead animal hauler license Renderable raw material hauler license Combination dead animal and renderable raw material hauler license 	<p>Authorizes holder to operate a rendering business or business adjunct to a rendering business (e.g., a dead animal hauler or a renderable raw material hauler). The specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to operate a plant or other premises where dead animals or renderable raw materials are processed to obtain a product for commercial use or disposition other than as food for human consumption.</p> <p>Authorizes holder to operate a facility that is necessary or incidental to the work of a rendering establishment but is separately operated or maintained.</p> <p>Authorizes holder to operate a facility where renderable raw materials are transferred from one conveyance to another.</p> <p>Authorizes holder to collect and dispose of dead animals for commercial purposes.</p> <p>Authorizes holder to collect or transport any unprocessed or partially processed plant or animal material, other than a dead animal, for processing by a rendering establishment.</p> <p>Authorizes holder to collect or transport both dead animals and renderable raw material for commercial purposes.</p>	<p>144</p>	<p>502</p>	<p>\$350 to \$3,000¹⁷⁶</p> <p>\$400 or \$800</p> <p>\$400 or \$800</p> <p>\$250 or \$500</p> <p>\$250 or \$500</p> <p>\$250 or \$500</p>	<p>\$106,248</p>	<p>1969</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Tanning facility operator license	Authorizes holder to operate a tanning facility. ¹⁷⁷	145	973	\$220 or \$440 ¹⁷⁸	\$451,353	1989
Tattoo and body piercing studio licenses <ul style="list-style-type: none"> <li data-bbox="100 630 365 657">• Tattoo studio license <li data-bbox="100 711 457 738">• Body piercing studio license <li data-bbox="100 792 411 852">• Tattooist or body piercer registration 	Authorizes holder to conduct, operate, or maintain a tattoo studio and/or body piercing studio or to perform tattooing or body piercing at a tattoo studio or a body piercing studio. The specific authorization provided by each type of license is as follows: <ul style="list-style-type: none"> <li data-bbox="499 630 1087 690">Authorizes the holder to conduct, operate, or maintain a tattoo studio. <li data-bbox="499 711 1087 771">Authorizes the holder to conduct, operate, or maintain a body piercing studio. <li data-bbox="499 792 1087 885">Authorizes holder to perform tattooing or body piercing at a tattoo studio or a body piercing studio. 	146 146 146	973 589 285	\$220 or \$440 ¹⁷⁸ \$450 to \$900 ¹⁷⁹ \$150 to \$400 ¹⁸⁰	\$451,353 \$551,082 \$102,694	1993
<i>Sanitation and Environmental Quality</i>						
Bedding permits ¹⁸¹ <ul style="list-style-type: none"> <li data-bbox="100 1133 470 1161">• Mattress manufacturer permit <li data-bbox="100 1247 428 1274">• Mattress renovator permit <li data-bbox="100 1360 365 1421">• Bedding product manufacturer permit 	Authorizes holder to manufacture, wholesale, or engage in the business of renovating or selling bedding in the state or for delivery in the state. Specific authorization provided by each class of license is as follows: <ul style="list-style-type: none"> <li data-bbox="499 1133 1087 1226">Authorizes holder to manufacture mattresses or box springs for shipment into or within the state for the purpose of resale. <li data-bbox="499 1247 1087 1339">Authorizes holder to renovate mattresses or box springs for shipment into or within the state for resale. <li data-bbox="499 1360 1087 1453">Authorizes holder to manufacture bedding products, other than mattresses and box springs, for shipment into or within the state for resale. 	345	2,403	\$220 to \$1,320 ¹⁸² \$220 to \$1,320 ¹⁸³ \$220 to \$1,320 ¹⁸⁴	\$660,764	1939

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Wholesaler and distributor permit • Importers permit • Processor permit • Germicidal treatment permit • Arts and crafts permit 	<p>Authorizes holder to wholesale and distribute bedding articles or filling materials for shipment into or within the state for resale.</p> <p>Authorizes holder to import bedding articles or filling material into the state for resale.</p> <p>Authorizes holder to manufacture or process bulk filling materials for shipment into the state.</p> <p>Authorizes holder to apply approved germicidal treatment process to articles of bedding or filling materials to be shipped into or to be sold in the state.</p> <p>Authorizes holder with no paid employees to manufacture less than 250 bedding articles other than mattresses (such as pillows, quilts, comforters) per year for sale in the state.</p>			<p>\$220 to \$1,320¹⁸⁵</p> <p>\$220 to \$1,320¹⁸⁶</p> <p>\$110</p> <p>\$110</p> <p>\$55</p>		
Radioactive materials and devices licenses ¹⁸⁷	Authorizes holder to use, manufacture, produce, transport, transfer, receive, acquire, own, possess, process, or dispose of certain sources of radiation. License categories are listed without descriptions in the radioactive material license fee schedule in 25 T.A.C. §289.204(e).	401	21,600 ¹⁸⁸	\$230 to \$66,895 ¹⁸⁹		1956 ¹⁹⁰
<p>Industrial radioactive material licenses</p> <ul style="list-style-type: none"> • Possession of radioactive material training course license 	Authorizes holder to use radioactive materials for industrial purposes, such as testing of structural integrity of pipes and building materials, logging oil/gas wells, density measurements in roadway/building construction, and for flow and thickness measurements for industrial processes.			\$3,676		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • By-product material mineral recovery license • Calibration service license • Calibration/reference source license • Civil defense license • Fixed-site decontamination service license • Mobile decontamination service license • Demonstration/sales license • Environmental laboratory license • Fine leak testing device license • Hand-held light intensifying imaging device license • Gas chromatograph license • Spinning pipe-thickness/portable gauge license • Fixed gauge license • Gauge general acknowledgement license • Fixed facility industrial radiography license 				\$66,895 ¹⁹¹ \$1,690 \$1,267 \$1,987 \$25,597 \$8,392 \$3,830 \$1,564 \$4,815 \$1,987 \$1,846 \$2,816 \$2,268 \$704 \$5,660		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Temporary field site industrial radiography license • Installer, repair, or maintenance license • Unshielded irradiator license • Leak test service license • Processor of radioactive material license • Other manufacturing and commercial distribution license • Commercial distribution only license • Limited manufacturing license (loose material) • Naturally occurring radioactive material commercial processing license • Nuclear pharmacy license • Sealed neutron generator target license • Unsealed neutron generator target license • Pipe joint collar marker license • Source material license 				<p>\$11,912</p> <p>\$3,126</p> <p>\$19,261</p> <p>\$1,846</p> <p>\$48,745</p> <p>\$7,941</p> <p>\$3,676</p> <p>\$7,096</p> <p>\$25,597</p> <p>\$7,096</p> <p>\$2,028</p> <p>\$4,055</p> <p>\$2,268</p> <p>\$3,830</p>		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Special nuclear material license • Tracer studies license • X-ray fluorescence license • Well-logging license 				\$2,268 \$6,533 \$1,987 \$3,942		
Medical/academic radioactive material licenses <ul style="list-style-type: none"> • Accelerator license • Bone mineral analyzer license • Broad license • Diagnostic nuclear medicine license • Eye applicator license • In-vitro use of radioactive material license • In-vitro test kit manufacturer license • Sealed source medical therapy license • Unsealed source medical therapy license • Mobile scanning service license • Pacemaker license 	Authorizes holder to use radioactive material for medical diagnosis and therapy, and for academic and research and development purposes.			\$15,319 \$1,564 \$20,698 \$2,409 \$1,564 \$945 \$4,915 \$2,703 \$2,268 \$4,393 \$1,142		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Fixed facility industrial radiography registration • Temporary job site industrial radiography registration • Industrial diffraction registration • Industrial computerized tomography registration • Industrial fluoroscopy registration • Industrial flash radiography registration • Industrial handheld light-intensifying image devices registration • Laser registration - medical, research, academic • Laser registration - industrial, services, entertainment • Medical physicist services registration (exposure rate or dose measurements) 				<p>\$1,702</p> <p>\$2,852</p> <p>\$575</p> <p>\$575</p> <p>\$575</p> <p>\$575</p> <p>\$575</p> <p>\$200</p> <p>\$340</p> <p>\$253</p>		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Minimal threat radiation machines registration (cathodoluminescence, electron beam welding, X-ray fluorescence, X-ray gauges, ion implantation, package X-ray, cabinet X-ray, particle size analyzer) • Morgues and educational facilities registration • Podiatric radiographic only registration • Radiographic machines only registration • Services registration (exposure rate or dose measurements, radiation machine output measurements, agency-accepted training courses, calibration, demonstrations/sales, assembly, installation or repair, equipment performance evaluations on dental machines, provider of equipment) • Veterinary registration (including CT, fluoroscopy, and accelerators) 				<p>\$264</p> <p>\$575</p> <p>\$374</p> <p>\$517</p> <p>\$253</p> <p>\$264</p>		
<p>Other industrial certifications</p> <ul style="list-style-type: none"> • Industrial radiographer certification 				<p>\$230</p>		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Mammography systems certification ¹⁹³	Authorizes holder to perform mammography with a mammography system.	401	436	\$1,745	\$522,708	1993
<i>Food, Drugs, Alcohol, and Hazardous Substances</i>						
<p>Food manufacturer, food wholesaler, or food warehouse operator licenses</p> <ul style="list-style-type: none"> • Food manufacturer license • Food wholesaler license¹⁹⁵ • Food wholesaler with combination products license • Food warehouse operator license 	<p>Authorizes holder to operate as a food manufacturer, food wholesaler, or food warehouse operator. Specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to combine, purify, process, or package food for sale through a wholesale outlet. Applies also to a retailer that packages or labels food for sale and represents itself as responsible for a food item's purity and proper labeling by labeling the item with the retailer's name and address.</p> <p>Authorizes holder to distribute food for resale, either through a retail outlet owned by the holder or through sales to another person.</p> <p>Authorizes holder to distribute food and drugs, food and medical devices, or food and drugs and medical devices.</p> <p>Authorizes holder to operate a warehouse where food is stored.</p>	431	10,429	<p>\$100 to \$1,680¹⁹⁴</p> <p>\$250 to \$1,350¹⁹⁴</p> <p>\$520 to \$1,950¹⁹⁴</p> <p>\$350 to \$2,000¹⁹⁶</p>	\$7,109,411	1911
<p>Drug and medical device manufacturer and distributor licenses^{197,198}</p> <ul style="list-style-type: none"> • Medical device distributor license 	<p>Authorizes holder to manufacture or distribute prescription drugs, nonprescription drugs, and/or medical devices. Specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to distribute medical devices. Authorization applies also to an importer and to an own-label distributor.</p>	431	1,869	\$480 to \$1,680	\$716,246	1911

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Medical device distributor with combined products license 	<p>Authorizes holder to distribute food or drugs as well as medical devices.</p>			<p>\$520 to \$1,950</p>		
<ul style="list-style-type: none"> • Medical device manufacturer license 	<p>Authorizes holder to manufacture, assemble, or process medical devices.</p>			<p>\$480 to \$3,600</p>		
<ul style="list-style-type: none"> • In-state wholesale distributor of compressed medical gases license 	<p>Authorizes in-state holder to distribute only compressed medical gases.</p>			<p>\$675 to \$2,295</p>		
<ul style="list-style-type: none"> • In-state wholesale distributor of compressed medical gases with combined products license 	<p>Authorizes in-state holder to distribute devices or food as well as wholesale compressed medical gases.</p>			<p>\$540 to \$2,025</p>		
<ul style="list-style-type: none"> • In-state wholesale prescription drug distributor and manufacturer license 	<p>Authorizes in-state holder who is a manufacturer to distribute wholesale prescription drugs.</p>			<p>\$1,080 to \$2,295</p>		
<ul style="list-style-type: none"> • Out-of-state wholesale prescription drug distributor license 	<p>Authorizes out-of-state holder to distribute prescription drugs for sale in Texas.</p>			<p>\$1,350 to \$2,025</p>		
<ul style="list-style-type: none"> • In-state wholesale nonprescription drug distributor license 	<p>Authorizes in-state holder who is not a manufacturer to distribute wholesale nonprescription drugs.</p>			<p>\$1,040 to \$2,210</p>		
<ul style="list-style-type: none"> • In-state wholesale nonprescription drug distributor with combined products license 	<p>Authorizes in-state holder who is not a manufacturer to distribute food or medical devices as well as wholesale nonprescription drugs.</p>			<p>\$520 to \$1,950</p>		
<ul style="list-style-type: none"> • In-state wholesale nonprescription drug distributor and manufacturer license 	<p>Authorizes in-state holder who is a manufacturer to distribute wholesale nonprescription drugs.</p>			<p>\$1,040 to \$2,210</p>		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Out-of-state wholesale nonprescription drug distributor license • Salvage broker/operator license (drugs and medical devices) 	<p>Authorizes out-of-state holder to distribute nonprescription drugs for sale in Texas.</p> <p>Authorizes holder to engage in the business of selling, distributing, or otherwise trafficking in distressed or salvaged food, drugs, cosmetics, or medical devices or to operate a business that is engaged in reconditioning or otherwise salvaging distressed food, drugs, cosmetics, or devices or that buys, sells, or distributes salvaged food, drugs, cosmetics, or medical devices for human use.</p>	432	143	<p>\$1,300 to \$1,950</p> <p>\$600 or \$1,200¹⁹⁹</p>	\$135,934	1983
<p>Milk seller permits</p> <ul style="list-style-type: none"> • Milk plant permit • Producer dairy farm permit • Receiving and transfer station permit 	<p>Authorizes holder to offer milk or milk products for sale or to be sold in Texas. Specific authorization is provided by license for different types of milk producers, vendors, processors, or handlers as follows:</p> <p>Authorizes holder to collect, handle, process, dry, store, pasteurize, aseptically process, bottle, or prepare milk for distribution. Authorization applies to a processing plant, manufacturing plant, or bottling plant.</p> <p>Authorizes holder to provide, sell, or offer for sale to a milk plant, transfer station, or receiving station a part or all of the milk or milk products derived from the holder's cows, sheep, or goats.</p> <p>Authorizes holder to receive, collect, handle, store, cool, and prepare raw milk for further transporting or to transfer milk or milk products directly from one tanker to another.</p>	435	635	<p>\$800²⁰⁰</p> <p>\$200</p> <p>\$800</p>	\$2,034,910	1937

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> Milk transport tanker permit Grade "A" raw milk for retail dairy farm permit 	<p>Authorizes holder to operate a truck or tanker to transport bulk shipments of milk from a milk plant, receiving station, or transfer station to another plant or station.</p> <p>Authorizes holder to sell or offer for sale to the public raw milk without the benefits of pasteurization.</p>			<p>\$200</p> <p>\$800</p>		
Molluscan shellfish dealer certification	Authorizes holder to operate as a molluscan shellfish shucker/packer, repacker, or shellstock shipper.	436	76	\$1 ²⁰¹	\$2,387,052	1993
Food service establishment permit ²⁰² <ul style="list-style-type: none"> Fixed-site food establishment permit Mobile food unit permit Roadside food vendor permit 	<p>Authorizes holder to operate a food service establishment, retail food store, or mobile food unit or as a roadside food vendor.²⁰³ Specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to operate a restaurant, retail food store, satellite or catered feeding location, catering operation providing food directly to a consumer, market, or vending location, or other operation that stores, prepares, serves, or vends food directly to the consumer for human consumption.</p> <p>Authorizes holder to operate a vehicle-mounted food establishment that is readily moveable.</p> <p>Authorizes holder to operate a mobile retail food store from a temporary location adjacent to a public road or highway.</p>	437	5,868	<p>\$250 to \$750²⁰⁴</p> <p>\$250</p> <p>\$250</p>	\$2,296,423	1987
Food manager certification	Authorizes holder to conduct, manage, or operate a food establishment.	438	18,494	\$10 to \$2,000 ²⁰⁵	\$107,663	2001
Food service education and training program license of accreditation	Authorizes holder to provide food safety education for food establishment managers and administer an approved examination for certification or recertification purposes.	438	49	\$600 ²⁰⁶	\$153,691	1987

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Frozen dessert manufacturer license	Authorizes holder to operate an establishment for the manufacture of a frozen dessert, imitation frozen dessert, product sold in semblance of a frozen dessert, or a mix for one of those products.	440	99	\$800 ²⁰⁷	\$417,130	1981
Bottled and vended water operator certification of competency	Authorizes holder to produce, process, or distribute bottled or vended water to the public or to provide bottled or vended water for distribution to the public.	441	258	\$100 ²⁰⁸	\$27,938	1999
Abusable volatile chemical seller permit	Authorizes holder to sell at retail abusable volatile chemicals, such as aerosol paint and glue.	485	10,793	\$55 ²⁰⁹	\$658,870	1987 ²¹⁰
Hazardous substance manufacturer registration	Authorizes holder to manufacture, import, or repack a hazardous substance that is distributed in the state or to distribute a hazardous substance in the state under the holder's brand name. ²¹¹	501	431	\$630 ²¹²	\$233,826	1985
<i>Safety</i>						
<p>Emergency medical services provider licenses and certificates</p> <ul style="list-style-type: none"> • Emergency medical services provider license • Emergency care attendant certification 	<p>Authorizes holder to operate, conduct, or maintain an emergency medical service or practice as emergency medical services personnel.²¹³ Specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to use or maintain emergency medical services vehicles, medical equipment, and emergency medical services personnel to provide emergency medical services.</p> <p>Authorizes holder to perform emergency prehospital care by providing initial aid that promotes comfort and avoids aggravation of an injury or illness.</p>	773	16,812	<p>\$680⁺²¹⁴</p> <p>\$60</p>	\$2,021,744	1983

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Emergency medical technician certification • Emergency medical technician intermediate certification • Emergency medical technician paramedic certification • Paramedic license 	<p>Authorizes holder to perform emergency prehospital care necessary for basic life support, including cardiopulmonary resuscitation and the control of hemorrhaging.</p> <p>Authorizes holder to perform emergency prehospital care by initiating certain procedures under medical supervision, including intravenous therapy and endotracheal or esophageal intubation.</p> <p>Authorizes holder to perform, in addition to the procedures listed above for an emergency medical technician-intermediate, electrical defibrillation or cardioversion and drug therapy.</p> <p>Authorizes holder to perform advanced life support that includes initiation under medical supervision of certain procedures, including intravenous therapy, endotracheal or esophageal intubation, electrical cardiac defibrillation or cardioversion, and drug therapy.</p>			<p>\$60</p> <p>\$90</p> <p>\$90</p> <p>\$120</p>		
<p>Personal emergency response system provider licenses and registrations</p> <ul style="list-style-type: none"> • Personal emergency response system provider license 	<p>Authorizes holder to sell, install, service, monitor, or respond to a personal emergency response system,²¹⁵ defined as an alarm system installed in a person's residence, monitored by the alarm system's company, permitting the person to signal the occurrence of a medical or personal emergency to which the company may dispatch the appropriate aid. Does not include a combination system with burglar or fire alarms. Specific authorization provided by each class of license or registration is as follows:</p> <p>Authorizes holder to provide personal emergency response system services.</p>	781	150	<p>\$800</p>	\$18,830	2005

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Installer, manager, branch office manager, salesperson registration • Owner, officer, partner, or shareholder of a personal emergency response system company registration 	<p>Authorizes registrant to perform specified duties in the provision of personal emergency response services.</p> <p>Authorizes holder to be actively involved in the normal course of operation and business of a licensee.</p>			<p>\$125</p> <p>\$125</p>		
<i>Health and Safety of Animals</i>						
Animal control officer and animal shelter personnel training	Authorizes holder to be employed by an animal shelter as a basic, advanced, or administrative animal control officer.	823, 829	556	\$75	\$40,825	1981 ²¹⁶
<i>Practices and Trades Related to Water, Health, and Safety²¹⁷</i>						
Code enforcement officer registration	Authorizes registrant to perform inspections of public or private buildings for the purposes of identifying certain health and safety hazards.	1952	1,049	\$50 or \$100 ²¹⁸	\$103,081	1991
Sanitarian registration ²¹⁹	Authorizes registrant to perform duties relating to education and inspections in environmental sanitation.	1953	715	\$140 (O) ²²⁰ \$150 (R) ²²¹	\$105,070	1965
<p>Asbestos removal licenses</p> <ul style="list-style-type: none"> • Asbestos abatement worker registration 	<p>Authorizes holder to engage in asbestos removal activities, including encapsulation, survey and inspection, airborne asbestos monitoring and analysis, transport, and training. Specific authorization provided by each class of license is as follows:</p> <p>Authorizes registrant to perform asbestos abatement work in a public building, including performing any maintenance, repair, installation, renovation, or cleaning that dislodges, breaks, cuts, abrades, or impinges on asbestos material.</p>	1954	14,812	\$65 ²²²	\$3,736,843	1987

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> Asbestos operations and maintenance contractor license (restricted) 	<p>Authorizes holder to conduct small-scale, short-duration work and engineering controls for tasks that result in the disturbance, dislodgment, or removal of asbestos in the course of performing repairs, maintenance, renovation, installation, replacement, or cleanup operations.</p>			\$260		
<ul style="list-style-type: none"> Asbestos operations and maintenance supervisor license (restricted) 	<p>Authorizes holder to directly supervise personnel and work practices limited to the conduct of operations and maintenance activities affecting asbestos-containing building materials.</p>			\$225		
<ul style="list-style-type: none"> Asbestos abatement contractor license 	<p>Authorizes holder to employ asbestos abatement supervisors and workers to carry out asbestos abatement or removal procedures.</p>			\$1,070		
<ul style="list-style-type: none"> Asbestos abatement supervisor license 	<p>Authorizes holder to engage in the supervision of an asbestos abatement project conducted in a public building.</p>			\$645		
<ul style="list-style-type: none"> Individual asbestos consultant license 	<p>Authorizes holder to design asbestos abatement projects, including the survey of public buildings for asbestos-containing building material; the evaluation and selection of appropriate methods; project layout; the preparation of plans, specifications, and contract documents; and the review of environmental controls, procedures, and equipment to be used.</p>			\$645		
<ul style="list-style-type: none"> Asbestos consulting agency license 	<p>Authorizes holder to employ asbestos consultants, asbestos project managers, asbestos inspectors and management planners, and air monitoring technicians to assist in the conduct of the agency's asbestos consultation activity.</p>			\$430		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Asbestos project manager license 	<p>Authorizes holder to be employed by a licensed asbestos consultant agency to monitor an asbestos abatement project and evaluate the quality and safety of the work being performed.</p>			\$320		
<ul style="list-style-type: none"> • Asbestos inspector license 	<p>Authorizes holder to conduct asbestos surveys in a public building as an employee of a licensed asbestos consultant agency or licensed asbestos management planner agency.</p>			\$130		
<ul style="list-style-type: none"> • Asbestos management planner license 	<p>Authorizes holder to develop asbestos management plans to include a written schedule and procedures to protect occupants from asbestos health hazards in a public building.</p>			\$260		
<ul style="list-style-type: none"> • Air monitoring technician license 	<p>Authorizes holder to perform air monitoring services for an asbestos abatement project or related activity in a public building by obtaining baseline, area, personal, and clearance samples.</p>			\$110		
<ul style="list-style-type: none"> • Asbestos management planner agency license 	<p>Authorizes holder to employ an individual management planner and one or more additional management planners or inspectors.</p>			\$430		
<ul style="list-style-type: none"> • Asbestos laboratory license 	<p>Authorizes holder to provide polarized-light microscopy, phase contrast microscopy, or transmission electron microscopy analysis of bulk or air samples collected in public buildings. A branch office performing as a laboratory must be separately licensed and accredited.</p>			\$430		
<ul style="list-style-type: none"> • Asbestos training provider license 	<p>Authorizes holder to conduct asbestos training for fulfillment of specific requirements that are prerequisite to licensing or registration by the Department of State Health Services.</p>			\$1,070		
<ul style="list-style-type: none"> • Asbestos transporters license 	<p>Authorizes holder to transport certain asbestos material removed from a public building.</p>			\$430		

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<p>Lead-based paint abatement certifications</p> <ul style="list-style-type: none"> <li data-bbox="100 516 445 548">• Lead inspector certification <li data-bbox="100 695 340 760">• Lead risk assessor certification <li data-bbox="100 971 445 1036">• Lead abatement supervisor certification <li data-bbox="100 1336 403 1401">• Lead abatement project designer certification 	<p>Authorizes holder to be involved in a lead-based paint abatement activity in target housing²²³ and child-occupied facilities. Specific authorization provided by each class of certification is as follows:</p> <p>Authorizes holder to conduct soil and dust abatement clearance sampling and lead-based paint inspections of target housing²²³ and child-occupied facilities that measure the concentration of lead in paint on a surface-by-surface basis.</p> <p>Authorizes holder to conduct a risk assessment and other lead hazard assessment activities (such as screening a residence for lead hazard) in target housing and child-occupied facilities, identify hazard control strategies to reduce or eliminate lead exposures, conduct post-abatement dust and soil clearance sampling, and perform the same duties as a certified lead inspector.</p> <p>Authorizes holder to identify the most appropriate course of action to eliminate identified lead hazards, ensure that abatement activities in target housing and child-occupied facilities are completed according to certain standards and in accordance with applicable regulatory requirements, prepare a written abatement report, develop an occupant protection plan, and ensure that each lead abatement worker under supervision has a department-issued certification identification card.</p> <p>Authorizes holder to prepare a written abatement project design and written abatement reports and develop a written occupant protection plan.</p>	1955	1,170	<p>\$300²²⁴</p> <p>\$600</p> <p>\$300</p> <p>\$600</p>	\$274,851	1995

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Lead abatement worker certification • Lead firm certification 	<p>Authorizes holder to be employed by a lead firm to engage in abatement activities.</p> <p>Authorizes holder to conduct lead abatement activities, provide notification to DSHS relating to impending abatement projects, and supply and train employees in the use of personal protection equipment.</p>			<p>\$100</p> <p>\$1,000</p>		
<p>Mold assessor and remediator licenses</p> <ul style="list-style-type: none"> • Mold assessment technician license • Mold assessment consultant license • Mold assessment company license • Mold remediation worker license 	<p>Authorizes holder to inspect, investigate, or survey a dwelling with regard to the presence, identification, or evaluation of mold; develop a mold remediation plan; collect or analyze a mold sample; and remove or treat mold or mold-contaminated matter. Specific authorization provided by each class of license is as follows:</p> <p>Authorizes holder to determine the location and extent of mold or suspected mold to record observations and take measurements, collect samples, and prepare a mold assessment report.</p> <p>Authorizes holder to perform activities of a mold assessment technician and plan surveys to identify conditions favorable to mold growth or determine the presence and extent of mold, develop a mold management plan, prepare a remediation protocol, and evaluate the outcome of a remediation project.</p> <p>Authorizes holder to employ two or more individuals licensed as mold assessment technicians or mold assessment consultants.</p> <p>Authorizes holder to be employed by a licensed mold remediation contractor or company to perform mold remediation.</p>	1958	5,423	<p>\$200</p> <p>\$600</p> <p>\$1,000</p> <p>\$60</p>	\$437,611	2003

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Mold remediation contractor license • Mold remediation company license • Mold analysis laboratory • Mold training provider accreditation 	<p>Authorizes holder to perform mold remediation and supervise workers performing remediation.</p> <p>Authorizes holder to employ mold remediation contractors and workers to assist in the company's remediation activity.</p> <p>Authorizes holder to analyze samples collected during mold-related activities to determine presence, identity, or amount of mold present and provide other information regarding a sample.</p> <p>Authorizes holder to offer mold training courses that are prerequisite for licensing.</p>			<p>\$500</p> <p>\$1,000</p> <p>\$1,000</p> <p>\$1,000</p>		
Texas Department of Housing and Community Affairs²²⁵						
Manufactured housing broker license	Authorizes holder to be engaged by one or more other persons to negotiate a bargain or contract for the sale, exchange, or lease-purchase of a manufactured home for which a certificate or document of title has been issued and is outstanding. Excludes a person who maintains a location for the display of manufactured homes.	1201	781	\$175	\$136,675	1979
Manufactured housing installer license	Authorizes holder, including a retailer or manufacturer, to contract to perform or to perform an installation function on manufactured housing.	1201	999	\$175	\$174,825	1979
Manufactured housing manufacturer license	Authorizes holder to construct or assemble manufactured housing for sale, exchange, or lease-purchase in this state.	1201	56	\$425	\$23,800	1979

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Manufactured housing retailer license	Authorizes holder to engage in the business of buying for resale, selling, or exchanging manufactured homes or offering such homes for sale, exchange, or lease-purchase to consumers, and to maintain a location for the display of manufactured homes. A license is required if a person sells, exchanges, or lease-purchases two or more manufactured homes to consumers in a 12-month period.	1201	993	\$275	\$273,075	1979
Manufactured housing retailer license—branch location	Authorizes a branch location of the holder of a manufactured housing retailer license to engage in the same business as the headquarters location. Each branch must submit a separate application and be separately bonded.	10 T.A.C. §80.3	N/A	\$550	N/A	1979
Manufactured housing salesperson license	Authorizes holder, as an employee or agent of a manufactured housing retailer or broker, to sell or lease-purchase or to offer to sell or lease-purchase manufactured housing to a consumer for any form of compensation.	1201	830	\$200	\$166,000	1983
Manufactured housing salvage rebuilder certificate	Authorizes holder to repair, rebuild, or otherwise alter a salvaged manufactured home (as defined in Section 1201.461, Occupations Code).	1201	0	\$275	0	1987
Texas Department of Insurance²²⁶						
<i>Fire Detection and Alarm Device Installation Licenses^{227,228}</i>						
Fire alarm branch office registration	Authorizes registrant, which must be a separate office location of a registered fire alarm firm, to perform the same business as that firm.	6002	157	\$150 (O) \$300 (R)	\$23,250	1975
Fire alarm firm registration	Authorizes registrant to plan, certify, lease, sell, install, service, monitor, or maintain a fire alarm or fire detection device or system. A limited registration certificate authorizes the registrant	6002	1,066	\$500 (O) \$1,000 (R)	\$558,331	1975

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	only to monitor such a device or system. Each registered firm must employ at least one fire alarm technician, residential fire alarm superintendent, or fire alarm planning superintendent.					
Fire alarm firm registration (single station)	Authorizes registrant to plan, certify, lease, sell, service, install, monitor, or maintain a single station fire alarm device, defined as a detector that is not part of or connected to any other fire detection device or system.	6002	25	\$250 (O) \$500 (R)	\$7,000	1997
Fire alarm monitoring technician license	Authorizes holder to monitor a fire alarm or fire detection device or system.	6002	37	\$120 (O) \$200 (R)	\$4,360	1989
Fire alarm planning superintendent license	Authorizes holder, who must be designated by a registered fire alarm firm, to plan a fire alarm or fire detection system that conforms to applicable adopted National Fire Protection Association (NFPA) standards or other adopted standards and to certify that each system as planned meets those standards. The holder also may act as a fire alarm technician or residential fire alarm superintendent.	6002	731	\$120 (O) \$200 (R)	\$44,470	1987
Fire alarm technician license	Authorizes holder, who must be designated by a registered fire alarm firm, to inspect and certify that each fire alarm or fire detection system as installed meets the standards provided by law and directly supervise and certify the service or maintenance of a previously installed device or system. The holder also may perform or supervise monitoring of such a device or system.	6002	3,241	\$120 (O) \$200 (R)	\$338,025	1987

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Residential fire alarm superintendent license	Authorizes holder, who must be designated by a registered fire alarm firm, to plan a fire alarm or fire detection system for a one- or two-family residence that conforms to applicable adopted NFPA standards or other adopted standards and to certify that each system as planned meets those standards. The holder also may act as a fire alarm technician.	6002	910	\$120 (O) \$200 (R)	\$89,380	1991
Residential fire alarm superintendent license (single station)	Authorizes holder, who must be designated by a registered fire alarm firm, to plan a single station fire alarm or fire detection system (a system that is not part of or connected to any other alarm or detection device or system) for a one- or two-family residence that conforms to applicable adopted NFPA standards or other adopted standards and to certify that each system as planned meets those standards. The holder also may act as a fire alarm technician.	6002	23	\$120 (O) \$200 (R)	\$560	1997
Residential fire alarm technician license ²²⁹	Authorizes holder, who must be designated by a registered fire alarm firm, to install, service, inspect, and certify a fire alarm or detection system in a one- or two-family residence.	5.43-2 ²³⁰	0	\$50	0	2007
<i>Fire Extinguisher Service and Installation Licenses^{231,232}</i>						
Fire extinguisher apprentice permit	Authorizes holder, under the direct supervision of an individual who holds a license and who works for the same firm as the apprentice, to install or service portable fire extinguishers or install and maintain fixed fire extinguisher systems.	6001	209	\$30 ²³³	\$8,250	1971
Fire extinguisher branch office registration	Authorizes registrant, which must be a separate office location of a registered fire extinguisher firm, to perform the same business as the firm.	6001	83	\$100 (O) \$200 (R)	\$8,100	1981

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Responsible managing employee license <ul style="list-style-type: none"> • General license • Dwelling license • General and dwelling license • General inspector • Underground fire main 	To perform the work authorized by each category of license described below, each holder must be designated by a registered fire protection sprinkler system contractor. Authorizes holder to ensure that any such system, as planned, installed, maintained, or serviced, meets the standards as provided for by law. Authorizes holder to ensure that any such system for a one- or two-family dwelling, as planned, installed, maintained, or serviced, meets the standards as provided for by law. Authorizes holder to ensure that any such system, including a system for a one- or two-family dwelling, as planned, installed, maintained, or serviced, meets the standards as provided for by law. Authorizes holder to perform inspection, testing, and maintenance services for a fire protection sprinkler system in accordance with the standards as provided for by law. Authorizes holder to ensure that the underground fire main for any such system, as installed, maintained, or serviced, meets the standards as provided for by law.	6003	358 0 34 29 216	\$200 (O) \$350 (R) \$150 (O) \$200 (R) \$200 (O) \$350 (R) \$50 (O) \$100 (R) \$150 (O) \$200 (R)	\$64,800 \$62,200 0 \$1,650 \$24,450	1983
<i>Fireworks and Fireworks Displays Licenses^{237,238}</i>						
Agricultural, industrial, and wildlife control permit	Authorizes holder to use Fireworks 1.3G for agricultural, industrial, or wildlife control purposes. The applicant must specify the exact purpose for which the fireworks are to be used before a permit may be issued.	2154	0	\$10 ²³⁹	0	1985

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Fireworks distributor license	Authorizes holder to import into this state or store, possess, and sell Fireworks 1.3G to a licensed pyrotechnic operator or distributor or to the holder of a single public display permit, multiple public display permit, or agricultural, industrial, and wildlife control permit; or import or store, possess, and sell Fireworks 1.4G to a licensed fireworks jobber, retailer, or distributor in this state.	2154	46	\$1,500 ²⁴⁰	\$69,000	1985
Fireworks jobber license	Authorizes holder to store, possess, and sell Fireworks 1.4G only to retailers in this state.	2154	3	\$1,000 ²⁴⁰	\$3,000	1985
Fireworks manufacturer license	Authorizes holder to manufacture, store, possess, and sell fireworks constructed by that person. Holder may sell Fireworks 1.4G only to a licensed distributor or jobber and Fireworks 1.3G only to a licensed distributor or pyrotechnic operator, or to a fireworks public display permit holder for use in public fireworks displays in this state. Holder also may manufacture, store, possess, and sell an item other than a permissible firework if the item is only for sale and delivery to authorized persons in a state in which the item is permissible.	2154	2	\$1,000 ²⁴⁰	\$2,000	1985
Fireworks pyrotechnic operator license	Authorizes holder to assemble, discharge, and supervise public displays of Fireworks 1.3G or Fireworks 1.4G. Must be at least 21 years of age.	2154	479	\$45 (O) ²⁴² \$25 (R)	\$12,575	1985
Fireworks pyrotechnic special effects operator license	Authorizes holder to assemble, conduct, and supervise displays using Fireworks 1.3G or Fireworks 1.4G for public amusement where an audience is closer to the pyrotechnic devices than permitted by the NFPA Code of Fireworks Display (NFPA 1123). Must be at least 21 years of age.	2154	229	\$45 (O) ²⁴² \$25 (R)	\$6,225	1997

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Flame effects ²⁴¹ operator license	Authorizes holder to assemble, conduct, or supervise flame effects before an audience in accordance with NFPA standards. Must be at least 21 years of age.	2154	103	\$45 (O) ²⁴² \$25 (R)	\$2,995	2003
Public display permit	<i>Multiple.</i> Authorizes holder to conduct multiple public fireworks displays at a single approved location.	2154	17	\$400 ²³⁹	\$6,800	1985
	<i>Single.</i> Authorizes holder to conduct one public fireworks display to be held during the hours and on the date or alternate date, if provided, stated on the permit.	2154	614	\$50 ²³⁹	\$30,700	1985
Retail fireworks permit	Authorizes holder to sell fireworks only to the public and only during periods beginning June 24 and ending at midnight on July 4; beginning December 20 and ending at midnight on January 1 of the following year; and beginning May 1 and ending at midnight on May 5 if the fireworks are sold at a location not more than 100 miles from the Texas-Mexico border and in a county in which the commissioners court of the county has approved the sale of fireworks during that period. A permit is required for each retail location.	2154	4,600	\$20 ^{243,244}	\$92,040	1985
<i>Insurance Licenses</i> ^{245,246}						
Agent continuing education and adjuster prelicensing education course provider registration	Authorizes registrant to offer continuing education courses for insurance licensees and prelicensing courses sufficient for students to take and pass the course's final examination for an insurance adjuster's license. Registrant may, but is not required to, offer both types of courses.	4004 and 28 T.A.C. §19.1005	1,184	\$50	\$28,850	2001 and 2003 ²⁴⁷

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
County mutual agent license	Authorizes holder to write county mutual insurance for an insurer authorized to engage in the business of such insurance in this state.	4051	3,320	\$50 ²⁴⁸	\$77,225	1941
Escrow officer license	Authorizes holder, who may be an attorney, a bona fide employee of an attorney licensed as an escrow officer, a bona fide employee of a direct operation, or a bona fide employee of a title insurance agent, to countersign title insurance forms, supervise the preparation and delivery of title insurance forms, sign escrow checks, and close the transaction.	2652	7,832	\$35	\$187,915	1967
Full-time home office salaried employee registration	Authorizes registrant to solicit or receive an application for the sale of insurance through an oral, written, or electronic communication for an insurer authorized to engage in the business of insurance in this state.	4051	1,256	\$50	\$2,850	2001
Funeral prearrangement life insurance agent license	Authorizes holder to write only life insurance policies and fixed annuity contracts to secure the delivery of funeral services and merchandise under prepaid funeral contracts regulated by the Texas Department of Banking.	4054	2,331	\$50 ²⁴⁸	\$55,671	1997
General life, accident, and health agent license	Authorizes holder to write life, accident, and health insurance for an insurer authorized to engage in the business of such insurance in this state.	4054	167,501	\$50 ²⁴⁸	\$3,947,772	1933
General property and casualty agent license	Authorizes holder to write property and casualty insurance for an insurer authorized to engage in the business of such insurance in this state. Authorizes holder who is a subagent of a licensed property and casualty agent to solicit and bind insurance risks for that agent. Authorizes holder to write any other kind of insurance as required by the insurance commissioner for the protection of the insurance consumers of this state.	4051	102,759	\$50 ²⁴⁸	\$2,448,340	1941

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Independent review organization certificate	Authorizes holder to review a utilization review agent's adverse determination, which is a finding by the agent that certain health care items or services being provided or proposed to be provided, or that have been provided to an enrollee in a health benefit plan are not medically necessary or appropriate and therefore not eligible for coverage under the plan. The request for such a review cannot be made until the enrollee has appealed the adverse determination to the health care provider and the appeal has been denied.	4202	27	\$800 (O) ²⁴⁹ \$200 (R)	\$11,400	1997
Insurance adjuster license	Authorizes holder to investigate or adjust losses on behalf of an insurer as an independent contractor or as an employee of an adjustment bureau, association, general property and casualty agent, or personal lines property and casualty agent, independent contractor, insurer, or managing general agent. The holder also may supervise the handling of claims and investigate, adjust, supervise the handling of, or settle workers' compensation claims, including claims arising from services provided through a certified workers' compensation health care network or on behalf of a third-party administrator or an insurance carrier.	4101	72,012	\$50 ²⁴⁸	\$1,378,887	1973
Insurance premium finance company license	Authorizes holder to engage in the business of making loans for the purpose of paying the premiums on an insurance contract by entering into premium finance agreements with insureds or prospective insureds and to acquire such agreements from insurance agents or brokers or from other insurance premium finance companies. Authorizes a holder who is an insurance agent or	651	325	\$100 or \$200 (O) ²⁵⁰ \$200 (R)	\$62,700	1973

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	broker making such loans to hold premium finance agreements made and delivered by insureds that are payable to the agent or broker or to the agent's or broker's order.					
Insurance service representative license	Authorizes holder who is a salaried office employee of a property and casualty agent to explain insurance coverage, describe an insurance product, quote insurance premium rates, and issue insurance binders only with the express approval of the supervising agent.	4051	1,654	\$50 ²⁴⁸	\$38,531	1941 ²⁵¹
Joint underwriting association certificate of authority	Authorizes a voluntary unincorporated association of insurers authorized by its members to act on their behalf to engage in joint underwriting or issuing syndicate insurance policies on a several, but not joint, basis.	2202	3	\$200 ²⁵²	\$200	1991
Life agent license ²⁵³	Authorizes holder who does not hold a general life, accident, and health agent license to write insurance coverage on human lives, including endowment benefits and annuities, benefits in the event of death or dismemberment by accident, and benefits for disability income; act as an industrial life insurance agent for an insurer that writes only weekly premium life insurance on a debit basis; write fixed or variable annuity contracts or variable life contracts; write for a stipulated premium company only life insurance in excess of \$15,000 on any one life; and write any other kind of insurance as required by the commissioner for the protection of the insurance consumers of this state.	4054	0	\$50 ²⁴⁸	0	2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Life and health insurance counselor license ²⁵⁴	Authorizes holder for compensation to examine or offer to examine a life, accident, or health insurance policy, health benefit plan, or annuity or pure endowment contract and to give advice or other information relating to the terms, conditions, benefits, coverage, or premiums of such a policy, plan, or contract, or the advisability of changing, exchanging, converting, replacing, surrendering, continuing, rejecting, accepting, or procuring a policy, plan, or contract from an insurer or health benefit plan issuer.	4052	372	\$50 ²⁴⁸	\$11,361	1955
Life insurance not exceeding \$15,000 agent license	Authorizes holder to write life insurance policies only in an amount that does not exceed \$15,000 on any one life on receipt of certification from a stipulated premium company, statewide mutual assessment company, local mutual aid association, or local mutual burial association.	4054	944	\$50 ²⁴⁸	\$25,451	2001
Life or viatical settlement ²⁵⁵ broker registration	Authorizes registrant who is not a life or viatical settlement provider representative, for a commission or other form of compensation or with the intent of obtaining such compensation, to offer or attempt to negotiate a life or viatical settlement between a life settlor or viator and owner of an individual policy or certificate holder under a group policy insuring the life of a life settlor or viator and one or more life or viatical settlement providers by representing the life settlor, viator, or owner in negotiations to obtain the best offer or sale price for the policy; gather, organize, and analyze confidential information about a life settlor, viator, or owner for the purpose of entering into such a settlement contract; and contact a life	1111	401	\$250	\$67,523	1995 ²⁵⁶

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	settlor, viator, or owner or a life settlor's or viator's designee for the purpose of tracking the life settlor's or viator's health status after a settlement has been signed by all necessary parties and payments have been made to the owner.					
Life or viatical settlement ²⁵⁵ provider registration	Authorizes registrant who is not a life settlor, viator, or owner of an individual policy or certificate holder under a group policy insuring the life of a life settlor or viator to enter into a life or viatical settlement with a life settlor or viator and owner or certificate holder or to attempt to do so through negotiation, solicitation, or acquisition of confidential information from or about a life settlor, viator, or owner. Also may perform services authorized for a life or viatical settlement broker or provider representative.	1111		\$500		1995 ²⁵⁶
Life or viatical settlement ²⁵⁵ provider representative registration	Authorizes registrant who is not a life or viatical settlement broker and is employed by or contracts exclusively with a life or viatical settlement provider to offer or attempt to negotiate a life or viatical settlement with a life settlor, viator, or owner of an individual policy or certificate holder under a group policy insuring the life of a life settlor or viator by representing the provider; gather, organize, and analyze confidential information about a life settlor, viator, or owner for the purpose of entering into such a settlement contract; and contact a life settlor, viator, or owner or a life settlor's or viator's designee for the purpose of tracking the life settlor's or viator's health status after a settlement has been signed by all necessary parties and payments have been made to the owner.	1111		\$250		2001 ²⁵⁶

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Limited lines agent license	Authorizes holder to handle specifically limited kinds of insurance, as determined by the commissioner of insurance, in the lines of county mutual insurance; funeral prearrangement life insurance; general life, accident, and health insurance; general property and casualty insurance; and life insurance not exceeding \$15,000. A limited license also may be issued for an insurance adjuster.	4051, 4054, and 4101	5,441	\$50 ²⁴⁸	\$125,552	2001
Managing general agent license	Authorizes holder to have supervisory responsibility for the local agency and field operations of an insurer in this state and to accept or process on the insurer's behalf insurance policies produced and sold by other agents. A single license authorizes the licensee to represent or act for one or more insurers as a managing general agent.	4053	1,625	\$50 ²⁴⁸	\$39,201	1967
Personal lines property and casualty agent license ²⁵⁷	Authorizes holder to write property and casualty insurance sold to individuals and families primarily for personal or household use for an insurer authorized to engage in the business of property and casualty insurance in this state. Also authorizes the holder to solicit and bind insurance risks as a subagent of a person who holds a personal lines property and casualty agent license. The holder also may write contracts for limited property and casualty insurance, county mutual insurance, specialty insurance, and accident and health insurance for individuals and families for personal, family, or household purposes for a property and casualty insurer authorized to sell those insurance products in this state.	4051	0	\$50 ²⁴⁸	0	2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Public insurance adjuster license	Authorizes holder—for direct, indirect, or any other compensation—to act on behalf of an insured in negotiating for or effecting the settlement of a claim or claims for loss or damage under any policy of insurance covering real or personal property; on behalf of any other public insurance adjuster to investigate, settle, or adjust or advise or assist an insured with a claim or claims for loss or damage under any policy of insurance covering real or personal property; or to advertise, solicit business, or hold himself or herself out to the public as an adjuster of claims for loss or damage under any policy of insurance covering real or personal property.	4102	202	\$50 ²⁴⁸	\$5,726	2003
Public insurance adjuster trainee temporary certificate	Authorizes registrant, for educational and training purposes only, to practice only under the direction and sponsorship of a licensed public insurance adjuster.	4102	0	\$50 ²⁵⁸	0	2003
Reinsurance intermediary broker license	Authorizes holder other than an officer or employee of an insurer engaged in the business of insurance or reinsurance in this state to solicit, negotiate, or place reinsurance business on behalf of the insurer but not to exercise that authority to bind reinsurance on the insurer's behalf.	4152	66	\$500 ²⁴⁸	\$24,380	1991
Reinsurance intermediary manager license	Authorizes holder to bind reinsurance or manage all or part of the reinsurance business of an insurer engaged in the business of insurance or reinsurance in this state, including the management of a separate division, department, or underwriting office.	4152	15	\$500 ²⁴⁸		1991
Risk manager license	Authorizes holder, for compensation, to examine or evaluate risks for and provide advice regarding reduction of risks to a person seeking to obtain or renew property and casualty insurance coverage in Texas.	4153	1,123	\$50 ²⁴⁸	\$18,912	1987

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Specialty agent license <ul style="list-style-type: none"> <li data-bbox="100 483 478 516">• Credit insurance agent license <li data-bbox="100 824 449 857">• Rental car company license <li data-bbox="100 1222 449 1287">• Self-service storage facility license 	<p>Authorizes holder to act as an agent for specified kinds of insurance for any insurer authorized to engage in the business of those kinds of insurance in this state, as follows:</p> <p>Authorizes holder to act as an agent for an insurer in the sale of any kind of credit insurance in the business of which the insurer is authorized to engage, including individual or group credit insurance. This license may be issued to a retail distributor of goods, automobile dealer, bank, state or federal savings and loan, state or federal credit union, finance company, production credit association, or manufactured home or mobile home retailer.</p> <p>Authorizes a company engaged in the business of providing leased or rented vehicles or vehicle equipment to the public, or the franchisee of such a company, to act as an agent for an authorized insurer only in connection with the rental of such vehicles or equipment and with respect to certain excess liability insurance, accident and health insurance, and personal effects insurance during the rental period, and any other coverage the commissioner approves as meaningful and appropriate in connection with the rental of vehicles or vehicle equipment.</p> <p>Authorizes holder engaged in the business of providing leased or rented storage space to the public to act as an agent for any authorized insurer only in connection with the rental of such space and with respect to hazard insurance coverage provided to a renter for loss of or damage to</p>	<p>4055</p>	<p>2,993</p> <p>64</p> <p>83</p>	<p>\$50²⁴⁸</p>	<p>\$83,051</p>	<p>1999</p> <p>1999</p> <p>1999</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> <li data-bbox="100 521 426 581">• Telecommunications equipment vendor license <li data-bbox="100 824 407 850">• Travel insurance license 	<p data-bbox="499 342 1087 500">tangible personal property in storage or in transit during the rental period or any other coverage the commissioner approves as meaningful and appropriate in connection with the rental of storage space.</p> <p data-bbox="499 521 1087 805">Authorizes a retail vendor of telecommunications equipment to act as an agent for an authorized insurer only in connection with the sale and use of such equipment and with respect to insurance coverage provided to customers for the loss or malfunction of or damage to the equipment or any other coverage the commissioner approves as meaningful and appropriate in connection with the use of telecommunications equipment.</p> <p data-bbox="499 824 1087 1268">Authorizes a travel agency (defined as an entity that sells or arranges transportation or accommodations for the public), a franchisee of a travel agency, or a public carrier to act as an agent for an authorized insurer only in connection with the sale or arrangement of such transportation or accommodations and with respect to certain accident and health insurance, personal effects insurance, life insurance, and insurance that provides coverage to a traveler for expenses incurred as a result of trip cancellation or interruption of a planned trip, and any other coverage the commissioner approves as meaningful and appropriate in connection with transportation or accommodations arranged through a travel agency.</p>		<p data-bbox="1268 521 1304 547">12</p> <p data-bbox="1268 824 1318 850">812</p>			<p data-bbox="1906 521 1976 547">2001</p> <p data-bbox="1906 824 1976 850">1999</p>
Surplus lines agent license	Authorizes holder to write surplus lines insurance and perform certain other insurance activities for an insurer eligible to provide such insurance in this state.	981	4,238	\$50 ²⁴⁸	\$120,888	1967

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Title attorney license	Authorizes holder on behalf of an attorney's title insurance ²⁵⁹ company to insure, guarantee, or indemnify an owner of real property in this state, or another interested in the property, against loss or damage resulting from a lien or encumbrance on or defect in the title to the property or the invalidity of a lien on the property. Attorney's title insurance is issued only in connection with and as part of a real property transaction and a title opinion of a title attorney.	2552	0	\$50 (O) ²⁶⁰ \$48 (R)	0	1975
Title insurance agent license	Authorizes holder to own or lease and control an abstract plant ²⁶¹ or participate in a bona fide joint abstract plant operation and, if authorized in writing by a title insurance company, to solicit insurance and collect premiums and issue or countersign policies on the company's behalf.	2651	1,767	\$50 (O) \$35 (R)	\$25,955	1967
Title insurance direct operation license	Authorizes a title insurance company to own or lease and operate an abstract plant (a facility that makes and sells abstracts of title to real property or interests in real property) or participate in a bona fide joint abstract plant operation in a county in this state.	2651	17	\$50 (O) \$35 (R)	\$210	1987
Utilization review agent certificate	Authorizes holder to conduct a prospective or concurrent review of the medical necessity and appropriateness of health care services being provided or proposed to be provided to an individual within this state. Such a review is provided for an employer with employees in the state who are covered under a health benefit plan or health insurance policy, a payor, or a third-party administrator. The review does not include an elective request for clarification of coverage.	4201	197 ²⁶²	\$2,150 (O) \$545 (R)	\$76,940	1991

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Board of Professional Land Surveying						
Professional land surveyor registration	Authorizes registrant to engage in the practice of land, boundary, or property surveying or other similar professional practices.	1071	2,939	\$275 (O) ²⁶³ \$367 or \$409 (R) ²⁶⁴	\$982,967	1979 ²⁶⁵
State land surveyor license	Authorizes holder to survey land in which the state or the permanent school fund has an interest or perform other original surveys for the purpose of filing field notes in the General Land Office.	1071				1979
Professional land surveying firm registration	Authorizes an association, partnership, or corporation to offer professional surveying services. The firm must have at least one registered professional land surveyor employed full-time and that person must perform or directly supervise all surveying work.	1071	0 ²⁶⁶	\$25 ²⁶⁷	0	2007
Texas Commission on Law Enforcement Officer Standards and Education						
Academic alternative provider license	Authorizes a school, accredited by the Southern Association of Colleges and Schools and having a criminal justice or law enforcement degree program approved by the Texas Higher Education Coordinating Board, to provide preparatory law enforcement licensing courses.	37 T.A.C. §215.6	7	\$100 ^{268,269}	0 ²⁷⁰	2004
Basic instructor certificate	Authorizes holder to be appointed as the coordinator of a law enforcement training academy or training provider. An instructor at such a facility may obtain a certificate, but it is not required.	1701	1,130	\$25	\$28,250	1965
Law enforcement academy license	Authorizes a school operated by a governmental entity and licensed by the commission to provide basic law enforcement licensing courses and continuing education.	37 T.A.C. §215.3	0	\$1,000 ²⁶⁸	0	1968

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Training provider contract	Authorizes a law enforcement agency, a law enforcement association, or an alternative delivery trainer to conduct law enforcement training on a contract basis.	37 T.A.C. §215.5	14	\$100 ^{268,271}	\$1,400	2001
Texas Department of Licensing and Regulation						
<i>Air-Conditioning and Refrigeration Licenses</i>						
Air conditioning and refrigeration contractor license	Authorizes holder to perform or offer to perform the design, installation, construction, repair, maintenance, service, or modification of equipment or a product in an environmental air-conditioning system, a commercial refrigeration system, or a process cooling or heating system.	1302	12,293	\$130 (O) ²⁷² \$80 (R) ²⁷²	\$1,089,335	1983
Air-conditioning and refrigeration technician registration ²⁷³	Authorizes registrant to assist a licensed air-conditioning and refrigeration contractor in performing air-conditioning and refrigeration maintenance work.	1302	0	\$20	0	2007
<i>Auctioneer Licenses</i>						
Associate auctioneer license	Authorizes holder to be employed by and under the direct supervision of a licensed auctioneer to sell or offer to sell property at an auction.	1802	125	\$25 ²⁷⁴	\$3,125	1977
Auctioneer license	Authorizes holder to sell or offer to sell property at auction, with or without receiving valuable consideration, as a bid caller.	1802	2,036	\$50 ²⁷⁵	\$103,025	1975
<i>Barbering Licenses²⁷⁶</i>						
Barber school permit	Authorizes holder to provide training leading to issuance of a Class A barber certificate.	1601	12,534	\$500 (O) \$300 (R)	\$996,122	1930 ²⁷⁷

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Barbershop permit	Authorizes holder to operate a facility, other than a permitted barber school, in which barbering is practiced or is offered or attempted to be practiced. Includes a barber salon.	1601		\$60		1967
Barber teacher certificate	Authorizes a Class A barber who meets certain experience and examination requirements to provide instruction in a permitted barber school.	1601		\$70		1961
Barber technician license	Authorizes holder to assist a barber in shampooing and sterilizing in a barbershop, and to give massages, administer facial treatments, and apply makeup. Must work under the direction of a registered Class A barber.	1601		\$40 ²⁷⁸		1967
Class A barber certificate	Authorizes holder to perform or offer or attempt to perform any act of barbering; claim to be engaged in the practice of barbering; or directly or indirectly advertise or represent the person as a barber or as being authorized to practice barbering.	1601		\$90 ^{278,279}		1929
Manicurist license ²⁸⁰	Authorizes holder to treat a person's nails by cutting, trimming, polishing, tinting, coloring, cleansing, manicuring, or pedicuring, or attaching false nails; or to massage, clean, treat, or beautify a person's hands.	1601		\$40 ²⁷⁸		1971
Specialty shop permit ²⁸⁰	Authorizes holder to maintain an establishment in which only nail treatments, hand treatments, hair braiding, or hair weaving are performed.	1601		\$50		1989 ²⁸¹
Student permit	Authorizes holder to enroll in and attend a barber school in this state.	1601		\$35 ²⁸²		1930
Dual barber and beauty shop license ²⁷³	Authorizes holder to own, operate, or manage a shop in which any practice of barbering or cosmetology is performed.	1603		0		\$130 (O) \$100 (R)

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Examination proctor registration ²⁸³	Authorizes registrant to administer a practical examination for a barbering or cosmetology license or certificate on behalf of the department.	1603	0	\$25	0	2005
Hair braiding specialty certificate of registration ^{273,280}	Authorizes registrant to braid a person's hair, trim hair extensions only as applicable to the braiding process, and attach commercial hair by braiding only and without the use of chemicals or adhesives.	1601	0	\$53 ²⁷⁸	0	2007
Hair weaving specialty certificate of registration ^{273,280}	Authorizes registrant to weave a person's hair by using any method to attach commercial hair to a person's hair or scalp.	1601	0	\$53 ²⁷⁸	0	2007 ²⁸⁴
Mobile shop permit ²⁷³	Authorizes holder to practice barbering, cosmetology, or both in a facility that is readily movable rather than in a fixed location.	1603	0	\$60	0	2007
<i>Combative Sports²⁸⁵ Licenses</i>						
Amateur combative sports association registration	Authorizes an organization that has nonprofit status under the laws of this state or under federal law to produce, arrange, advertise, conduct, or stage combative sports events in which all the contestants are amateurs.	2052	2	\$50	\$100	2005
Event coordinator license ²⁸⁶	Authorizes holder to arrange, conduct, or stage a combative sports event promoted by another person, other than a permanent full-time employee of the promoter of the event. Does not include an employee of an event coordinator.	2052	0	\$200	0	2007
Manager license	Authorizes holder under contract, agreement, or other arrangement with a professional combative sports contestant to undertake to directly or indirectly control or administer the contestant's affairs.	2052	36	\$200	\$7,600	1933

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Matchmaker license	Authorizes holder to arrange matches for professional combative sports contestants.	2052	17	\$175	\$2,975	1934
Professional contestant license	Authorizes holder to compete in a combative sports event in this state conducted for a purse or compensation.	2052	645	\$30 ²⁸⁷	\$20,954	1933
Promoter license	Authorizes holder to produce, arrange, advertise, conduct, or stage a combative sports event.	2052	46	\$900	\$42,400	1933
Judge license	Authorizes holder to score the performances of the participants in a match.	2052	86	\$200	\$21,550	1977
Referee license	Authorizes holder to be present in the ring during a match and exercise general supervision of the match.	2052		\$250		1934
Ringside physician registration	Authorizes an individual licensed to practice medicine by the Texas State Board of Medical Examiners to provide medical assistance to contestants, including medical examinations before and after contests and during contests in the event of a knockout, concussion, or other head injury.	2052	55	\$25	\$1,375	2003
Second license	Authorizes holder to provide assistance or advice to a contestant during a contest.	2052	808	\$30	\$25,544	1934
Timekeeper license	Authorizes holder to act as the official timer of the length of rounds or heats in a combative sports event and of the intervals between rounds or heats and to count when a contestant is down.	2052	32	\$40	\$1,280	1934
<i>Cosmetology Licenses^{288,289}</i>						
Beauty shop license	Authorizes holder to maintain an establishment in which any practice of cosmetology is performed.	1602	232,813	\$106 (O) \$69 (R)	\$7,964,567	1935
Booth rental license	Authorizes holder to lease space on the premises of a beauty shop to engage in the practice of cosmetology as an independent contractor.	1602		\$67		1991

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Facial instructor specialty license	Authorizes holder to provide instruction in any practice authorized for the holder of a facialist specialty license.	1602		\$70		1993
Facialist specialty license	Authorizes holder to cleanse, stimulate, or massage a person's scalp, face, neck, or arms by hand or by using a device, apparatus, or appliance and with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or cream; beautify a person's face, neck, or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream, or appliance; administer facial treatments; or remove superfluous hair from a person's body using depilatories or mechanical tweezers.	1602		\$53		1991
Hair braiding specialty certificate ²⁹⁰	Authorizes holder to braid hair. Holder also may trim hair extensions only as applicable to the braiding process or attach commercial hair only by braiding and without the use of chemicals or adhesives. Does not include shampooing, conditioning, drying, styling, or applying any chemicals, including color chemicals, relaxers, perm solutions, or other preparations to alter the color or to straighten, curl, or alter the structure of hair.	1602		\$53		1997
Hair weaving specialty certificate ²⁹⁰	Authorizes holder to perform the services of a hair braider and additionally to attach hair by any weaving method. Holder also may shampoo, condition, and dry hair in connection with a hair weaving service. Does not include styling, cutting, or trimming hair except to the extent such activity is incidental to a hair weaving service. Also does not include the application of color chemicals, relaxers, perm solutions, or other preparations to alter the color or to straighten, curl, or alter the structure of hair.	1602		\$53		1979

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Instructor license	Authorizes holder to perform any practice of cosmetology and instruct a person in any practice of cosmetology, including providing instruction in a private beauty culture school or a vocational cosmetology program in a public school.	1602		\$70		1935
Manicure instructor specialty license	Authorizes holder to provide instruction in any practice authorized for the holder of a manicurist specialty license.	1602		\$70		1993
Manicurist specialty license ²⁹⁰	Authorizes holder to treat a person's nails by cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring, or attaching false nails; or to massage, clean, treat, or beautify a person's hands or feet.	1602		\$53		1935 ²⁹¹
Operator license	Authorizes holder to perform any practice of cosmetology.	1602		\$53		1935
Private beauty culture school license	Authorizes holder to maintain an establishment in which any practice of cosmetology is taught.	1602		\$500 (O) ²⁹² \$200 (R)		1935
Public secondary or postsecondary beauty culture school certificate	Authorizes holder to provide a vocational cosmetology program in a public school.	1602		\$500 (O) ²⁹² \$200 (R)		1991
Shampoo-conditioning specialty certificate	Authorizes holder to shampoo and condition a person's hair.	1602		\$53		1979
Specialty shop license ²⁹⁰	Authorizes holder to maintain an establishment in which only certain cosmetology services are performed, including hair braiding or weaving; wig services; manicuring services; beautifying a person's face, neck, or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream, or appliance; or removing superfluous hair from a person's body using depilatories or mechanical tweezers.	1602		\$106 (O) \$69 (R)		1979

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Student permit	Authorizes holder to enroll in and attend a school of cosmetology in this state.	1602		\$25 ²⁹³		1979
Wig specialty certificate	Authorizes holder to service a person's wig or artificial hairpiece on a person's head or on a block after the initial retail sale. Servicing may be performed in any manner in which a licensed operator may treat a person's hair.	1602		\$53		1971
<i>Electrician Licenses</i>						
Electrical apprentice license	Authorizes registrant to perform electrical work under the on-site supervision of a licensed master electrician, journeyman electrician, or residential wireman, on behalf of an electrical contractor or employing governmental entity.	1305	103,829	\$20	\$4,762,717	2003
Electrical sign apprentice license	Authorizes registrant to perform electrical sign work under the on-site supervision of a licensed master electrician, master sign electrician, or journeyman sign electrician, on behalf of an electrical sign contractor. (See entry for Master sign electrician license for description of work encompassed by the definition of electrical sign work.)	1305		\$20		2005
Electrical contractor license	Authorizes holder to design, install, erect, repair, or alter electrical wires or conductors to be used for light, heat, power, or signaling purposes. Includes the installation or repair of ducts, raceways, or conduits for the reception or protection of wires or conductors and the installation or repair of any electrical machinery, apparatus, or system used for electrical light, heat, power, or signaling.	1305		\$125 ²⁹⁴		2003

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Electrical sign contractor license	Authorizes holder to design, manufacture, install, connect, reconnect, or service an electric sign, cold cathode, neon gas tubing, or outline gas tubing, or alter electric sign wiring or conductors either inside or outside of a building.	1305		\$125 ²⁹⁴		2003
Journeyman electrician license	Authorizes holder to perform electrical work under the general supervision of a licensed master electrician on behalf of an electrical contractor or employing governmental entity.	1305		\$40 ²⁹⁵		2003
Journeyman sign electrician license	Authorizes holder to perform electrical sign work under the general supervision of a licensed master electrician or master sign electrician on behalf of an electrical sign contractor. (See entry for Master sign electrician license for description of work encompassed by the definition of electrical sign work.)	1305		\$40 ²⁹⁵		2003
Maintenance electrician license	Authorizes holder, while working under the general supervision of a licensed master electrician on behalf of an electrical contractor or employing governmental entity, to replace or repair existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation.	1305		\$25		2003
Master electrician license	Authorizes holder to perform electrical work on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity.	1305		\$65 ²⁹⁶		2003

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Master sign electrician license	Authorizes holder to perform electrical sign work on behalf of an electrical sign contractor. Such work includes manufacturing, installing, maintaining, extending, connecting or reconnecting an electrical wiring system and its appurtenances, apparatus or equipment used in connection with signs, outline lighting, awnings, signals, light emitting diodes, and the repair of existing outdoor electric discharge lighting. This work also includes the installation of an electrical service integral to an isolated sign or outline lighting installation.	1305		\$65 ²⁹⁶		2003
Residential wireman license	Authorizes holder, while working under the general supervision of a licensed master electrician on behalf of an electrical contractor or employing governmental entity, to perform electrical work limited to electrical installations in single-family and multifamily dwellings not exceeding four stories.	1305		\$25		2003
Residential appliance installation contractor license ²⁹⁷	Authorizes a business entity other than an electrical contractor or electrical sign contractor to engage in residential appliance installation contracting, defined as connecting or disconnecting a residential appliance to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.	1305	0	\$125	0	2007
Residential appliance installer license ²⁹⁷	Authorizes holder, who is not a licensed electrician, to perform electrical work limited to connecting or disconnecting a residential appliance to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.	1305	0	\$40	0	2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<i>Elevator Contractor and Inspector Licenses²⁹⁸</i>						
Elevator contractor license	Authorizes holder to install, repair, or maintain an elevator, escalator, chairlift, platform lift, automated people mover operated by cables, moving sidewalk, or related equipment. Does not include an employee of a contractor or a person engaged in cleaning or any other work performed on equipment that does not affect the operational safety of the equipment or diminish the safety of the equipment below the level required by applicable codes and standards promulgated by the American Society of Mechanical Engineers (ASME).	754	27	\$300 ²⁹⁹	\$8,100	2003
Elevator inspector registration	Authorizes registrant to inspect all elevator, escalator, and related equipment for compliance with applicable ASME codes and standards. Registrant must be certified as a QEI-1 inspector ³⁰⁰ by an organization accredited by ASME.	754	125	\$100 ³⁰¹	\$12,500	1993
<i>Employment Services Licenses</i>						
Personnel employment service certificate of authority	Authorizes holder to offer or attempt to obtain permanent employment for an applicant or to obtain or attempt to obtain a permanent employee for an employer. A separate certificate of authority is required for each location of the business.	2501	132	\$75	\$14,450	2001
Staff leasing services license	Authorizes holder to assign or lease its permanent employees to another employer where the arrangement is of a long-term or continuing nature rather than temporary or seasonal. A limited license is available for a registrant that employs fewer than 50 assigned employees in the state at any one	91 ³⁰²	280	\$250 to \$750 ³⁰³	\$238,150	1993

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	time, does not provide assigned employees to a client company based or domiciled in the state, and does not maintain an office in this state or solicit client companies located or domiciled in this state.					
Talent agency registration	Authorizes registrant to obtain or attempt to obtain employment for artists, including counseling or directing an artist in the development of the artist's professional career. A separate registration is required for each location of the business.	2105	59	\$400	\$32,900	1989
Temporary common worker employer registration	Authorizes holder to provide common workers ³⁰⁴ to users of such workers. A separate registration is required for each location of the business.	92 ³⁰²	108	\$550 ³⁰⁵	\$75,050	1991
<i>Industrialized Housing³⁰⁶ and Buildings³⁰⁷ Licenses</i>						
Industrialized housing builder license	Authorizes holder to engage in the assembly, connection, and on-site construction and erection of modules or modular components at the building site or in the purchase of industrialized housing or buildings or of modules or modular components from a manufacturer or from another industrialized builder for sale or lease to the public. Does not include a subcontractor of an industrialized builder.	1202	361	\$325	\$123,034	1985
Industrialized housing design review agency license	Authorizes holder to review designs, plans, specifications, and building systems documentation relating to industrialized housing and to certify compliance with statutory requirements.	1202	8	\$300	\$2,400	1985
Industrialized housing manufacturer registration	Authorizes registrant to construct or assemble modules or modular components at a manufacturing facility that are offered for sale or lease, sold or leased, or otherwise used.	1202	103	\$750	\$80,725	1985

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Industrialized housing third-party inspector license	Authorizes holder, which may be a person or agency, private or public, to inspect industrialized housing, buildings, and portions thereof for compliance with the approved plans, documentation, compliance control program, and applicable code.	1202	7	\$150 per firm	\$900	1985
			41	+ \$100 per inspector	\$4,150	
<i>Legal Services Licenses</i>						
Court interpreter license	Authorizes holder to interpret court proceedings for an individual who can hear but who does not comprehend English or communicate in English.	57 ³⁰⁸	627	\$75 (O) ³⁰⁹ \$50 (R)	\$34,755	2001
For-profit legal service contract ³⁰⁶ company registration	Authorizes registrant to enter into a contract with a contracting attorney to provide or obtain covered legal services for a legal service contract holder. Authorizes holder to operate as a for-profit legal service contract company. The company is contractually obligated to the contract holder under the terms of the legal service contract.	953	7	\$500 to \$1,000 ³¹¹	\$368,311	2003
Legal service contract administrator registration	Authorizes registrant to be responsible for all or any part of the administration of a legal service contract or group legal service contract; the sale of such contracts; or compliance with statutory requirements relating to such contracts.	953	2	\$50	\$100	2003
Legal service contract salesperson registration	Authorizes registrant to sell or solicit a legal service contract to a person on behalf of a legal service contract company.	953	16,627	\$30	\$532,773	2003
<i>Property Tax Consulting³¹² Licenses³¹³</i>						
Property tax consultant registration	Authorizes registrant to perform property tax consulting services for compensation. The registrant must be employed by or associated with a registered senior property tax consultant and under the senior property tax consultant's direct supervision.	1152	1,278	\$275 ³¹⁴	\$368,745	1991

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Real estate property tax consultant registration	Authorizes holder of an active real estate broker license, real estate salesperson license, or real estate appraiser license or certificate to perform real estate property tax consulting services for compensation.	1152		\$275 ³¹⁴		1995
Senior property tax consultant registration	Authorizes registrant to perform or supervise others in the performance of property tax consulting services for compensation.	1152		\$315 (O) ^{314,315} \$275 (R) ³¹⁴		1991
<i>Service Contract³¹⁶ Licenses</i>						
Service contract administrator registration	Authorizes registrant to perform third-party administration on behalf of a service contract provider, including collecting, maintaining, or disbursing money to compensate a party for a claim or repair pursuant to a service contract; processing or adjusting a claim arising under such a contract; or maintaining records.	1304	150	\$250	\$133,500	2005
Service contract provider registration	Authorizes registrant to enter into a service contract with a consumer. The registrant is contractually obligated to the contract holder under the terms of the contract.	1304		\$250 (O) \$250 to \$1,000 (R) ³¹⁷		1999
<i>Towing and Vehicle Storage Facility Licenses³¹⁸</i>						
Tow truck company registration ^{319,320}	Authorizes an individual, association, corporation, or other legal entity to control, operate, or direct the operation of one or more tow trucks over a public roadway in Texas. Does not include a political subdivision of the state.	2308	3,443	\$100 (O) ³²¹ \$25 or \$50 per tow truck (R) ³²²	\$688,154	1929 ³²³
Tow truck operator license	<i>Consent towing.</i> Authorizes holder to tow a vehicle with the consent of the vehicle's owner or operator. A consent tow includes any tow of a motor vehicle initiated by the vehicle's owner, operator, or custodian.	2308	0	\$100 ³²⁴	0	2007

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	<i>Incident management.</i> Authorizes holder to tow a vehicle without the consent of the vehicle's owner if the tow is initiated by a peace officer.		0	\$100 ³²⁴	0	2007
	<i>Private property towing.</i> Authorizes holder to tow a vehicle without the consent of the vehicle's owner if the tow is authorized by a parking facility owner.		0	\$100 ³²⁴	0	2007
Vehicle storage facility license	Authorizes holder to operate a garage, parking lot, or other facility owned by a person other than a governmental entity and used to store or park at least 10 vehicles each year.	2303	1,910	\$100 (O) ^{325,326} \$75 (R)	\$192,343	1985
Vehicle storage facility employee license ³²⁷	Authorizes holder to be employed by a licensed vehicle storage facility.	2303	0	\$75 ³²⁴	0	2007
<i>Water Well Driller and Pump Installer Licenses</i>						
Water well driller license	Authorizes holder to drill, bore, core, or construct a water well in this state. Includes the owner or operator of a well or the contractor or drilling supervisor. Does not include a person who drills, bores, cores, or constructs a water well on the person's own property for the person's own use or assists in constructing a water well under the direct supervision of a driller and is not primarily responsible for the drilling operation.	1901	2,382	\$215 ^{328,329}	\$522,966	1965
Water well pump installer license	Authorizes holder to install or repair well pumps and equipment. Does not include a person who installs or repairs well pumps and equipment on the person's own property for the person's own use or assists in pump installation under the direct supervision of an installer and is not primarily responsible for the installation.	1902		\$215 ^{328,330}		1991

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Water well driller or pump installer apprentice registration	Authorizes registrant to undertake a TDLR-approved apprentice program under the supervision of a licensed well driller or pump installer who has been licensed for at least two years. A driller or pump installer may not supervise more than three apprentices at any one time. An individual with both a well driller and a pump installer license may register a maximum of six apprentices (three of each type) at any one time.	16 T.A.C. §76.205	730	\$65 ³³¹		2001
<i>Other Licenses</i>						
Accessibility specialist registration	Authorizes registrant to review plans and perform inspections to determine compliance with Texas Accessibility Standards, which set requirements for eliminating architectural barriers for individuals with disabilities in public buildings and facilities, privately owned buildings and facilities leased or occupied by state agencies, places of public accommodation, and commercial facilities.	469 ³³²	437	\$300 ³³³	\$127,325	2001
Discount health care program operator registration ³³⁴	Authorizes registrant to operate a discount health care program and contract with health care providers, provider networks, or other discount health care program operators to offer access to health care services at a discount and to determine the charge to members.	76 ³³⁵	0	\$1,000 (O) \$500 (R)	0	2007
Vehicle protection product warrantor registration	Authorizes registrant to sell or offer for sale a vehicle protection product or system, including a written warranty, that is designed to prevent loss or damage to the vehicle from a specific cause.	2306	25	\$500 (O) ³³⁶ \$500 to \$1,500 (R) ³³⁷	\$50,750	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Lottery Commission						
Bingo conductor license	Authorizes holder (an eligible religious society, nonprofit organization, fraternal organization, veterans organization, or volunteer fire department) to conduct bingo.	2001	973	\$100 to \$2,500 ³³⁸	\$1,948,652	1981
Bingo conductor temporary license	Authorizes an eligible organization to conduct bingo for four hours during any one day. The organization may not receive more than six such licenses in a calendar year.	2001	814 ³³⁹	\$25	\$125,915	1981
Bingo equipment distributor license	Authorizes a person who obtains, by purchase or otherwise, bingo equipment or supplies for use in bingo in this state, to sell or furnish the items to another person for use, resale, display, or operation.	2001	10	\$1,000 ³⁴⁰	\$12,000	1983
Bingo equipment manufacturer license	Authorizes holder to assemble from raw materials or subparts a completed piece of bingo equipment or supplies for use in bingo games in this state or to convert, modify, add to, or remove parts from any bingo equipment, item, or assembly to further its promotion or sale for or use in a bingo game in this state.	2001	14	\$3,000 ³⁴⁰	\$53,000	1983
Bingo equipment system service provider license	Authorizes holder to sell or supply automated bingo services for the use of a licensed authorized organization.	2001	0	\$1,000	0	1995
Bingo commercial lessor license	Authorizes holder to lease premises on which bingo is conducted directly to a licensed authorized organization.	2001	307	\$100 to \$2,500 ³⁴¹	\$425,565	1981

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<p>Temporary physician licenses and permits and limited licenses</p> <ul style="list-style-type: none"> • Distinguished professors temporary license³⁵⁰ • State health agency temporary license • Visiting physician temporary permit³⁵¹ • Visiting professor temporary license³⁵² • National Health Service Corps temporary license³⁵³ • Faculty temporary license³⁵⁴ 	<p>Temporary licenses and permits and limited licenses may be issued to qualified individuals authorizing them to perform certain functions that are limited in scope or to perform functions specified by the license for a limited period as follows:</p> <p>Authorizes licensed physician to hold an appointment as a salaried full professor on the faculty working full-time in certain institutions.</p> <p>Authorizes holder to hold a salaried clinical or administrative position with an agency of the state. Holder of an administrative temporary license is prohibited from practicing medicine as defined by Section 151.002(a)(13), Occupations Code.</p> <p>Authorizes holder to practice medicine in the state under the supervision of a licensed Texas physician for educational purposes or to practice charity care for underserved populations in the state. Excludes physicians training in postgraduate training programs.</p> <p>Authorizes holder to practice medicine as a visiting professor appointed to that position by certain Texas medical schools or institutions.</p> <p>Authorizes a licensed out-of-state physician to practice medicine in Texas under contract with the National Health Services Corps under certain conditions.</p> <p>Authorizes a licensed out-of-state physician who holds an M.D., D.O., or equivalent degree or who has completed at least three years of postgraduate residency to practice medicine working full-time in a salaried faculty position at the assistant</p>	<p>155</p> <p>22 T.A.C. § 172.3</p> <p>22 T.A.C. § 172.4</p> <p>22 T.A.C. § 172.5</p> <p>22 T.A.C. § 172.6</p> <p>22 T.A.C. § 172.7</p> <p>22 T.A.C. § 172.8</p>	<p>271³⁴⁸</p>	<p>\$50</p> <p>\$50</p> <p>\$0</p> <p>\$110</p> <p>\$0</p> <p>\$680³⁵⁵</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p>	<p>various³⁴⁹</p> <p></p> <p></p> <p></p> <p></p> <p>2005</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Postgraduate research temporary license³⁵⁶ 	<p>professor-level or higher at certain institutions, or working part-time at the assistant professor-level or higher if the person is on active duty in the United States military and is engaged in a practice that will fulfill a critical need of the citizens of the state.</p> <p>Authorizes a medical school graduate to hold a research appointment at a Texas medical school under certain conditions.</p>	22 T.A.C. § 172.9				
<ul style="list-style-type: none"> • DSHS medically underserved area temporary license³⁵⁷ 	<p>Authorizes a licensed physician to be appointed by the Department of State Health Services to provide free services under the supervision of a fully licensed Texas physician at the department's regional clinics in medically underserved areas.</p>	22 T.A.C. § 172.10		\$50		
<ul style="list-style-type: none"> • Conceded eminence license 	<p>Authorizes a physician who has achieved a high level of academic or professional recognition for excellence in research, teaching, or the practice of medicine to practice a specialty of medicine within the setting of the institution or program that recommended the holder for the license.</p>	22 T.A.C. § 172.13		\$880		2005
<ul style="list-style-type: none"> • Public health/administrative medicine license³⁵⁸ 	<p>Authorizes holder to engage in professional managerial, administrative, or supervisory activities related to public health or the practice of medicine on behalf of a governmental entity serving as a public health agency or institution, including prescriptive authority for public health purposes, preventive interventions, diagnosis and treatment of communicable and vaccine preventable diseases, pharmacological interventions for smoking cessation and contraception, and other clinical preventive medicine interventions such as those to prevent obesity and diabetes.</p>	22 T.A.C. § 172.15		\$880		2005

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Physician registration for office-based anesthesia services	Authorizes physician to provide anesthesia services or perform a procedure for which anesthesia services are provided in an outpatient setting.	162, 22 T.A.C. § 192.1	1,014 ³⁵⁹	\$210 ³⁶⁰	\$200,637 ³⁶¹	1999
Physician-in-training permit	Authorizes holder to perform a medical act only as part of a graduate medical education training program and under the supervision of a licensed physician.	155, 22 T.A.C. § 171.3	6,405	\$140		1837 ³⁶²
Physician assistant license and registration permit	Authorizes holder to provide certain medical services that are delegated by a supervising physician. Such services include obtaining patient histories and performing physical examinations; ordering and/or performing diagnostic and therapeutic procedures; formulating a working diagnosis; developing and implementing a treatment plan; monitoring the effectiveness of therapeutic interventions; assisting at surgery; offering counseling and education to meet patient needs; requesting, receiving, and signing for the receipt of pharmaceutical sample prescription medications and distributing the samples to patients; the signing or completion of a prescription; and making appropriate referrals.	204	4,290	\$200 (O) \$219 (R)	\$995,046 ³⁶³	1993
Surgical assistant license and registration permit	Authorizes holder to provide aid under direct supervision in exposure, hemostasis, and other intraoperative technical functions that assist a physician in performing a safe operation with optimal results for the patient, including the delegated authority to provide local infiltration or the topical application of a local anesthetic at the operation site.	206	259	\$300 (O) \$468 (R)	\$69,462 ³⁶¹	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Acupuncturist license and registration permit	Authorizes holder to insert non-surgically an acupuncture needle and apply moxibustion to specific areas of the human body as a primary mode of therapy to evaluate, assess, treat, and mitigate a human condition and to administer a thermal or electrical treatment or recommend dietary guidelines, energy flow exercises, or dietary or herbal supplements in conjunction with the acupuncture treatment.	205	885	\$300 (O) \$284 (R)	\$247,912 ³⁶¹	1993
Acudetox specialist certification and registration permit	Authorizes holder to practice acupuncture under the supervision of a licensed acupuncturist or physician only for the treatment of alcoholism, substance abuse, or chemical dependency.	205	102	\$50 (O) \$59 (R)	\$6,575 ³⁶¹	1997
Non-certified radiologic technician registration and registration permit	Authorizes holder to perform radiologic procedures, such as bone densitometry using a dual energy X-ray densitometer, and certain chest, spine, extremities, abdomen, and skull studies using standard film or film screen combinations and an X-ray tube that is stationary at the time of exposure under the direct supervision or instruction of a licensed physician.	22 T.A.C. § 194.3	1,553	\$50 (O) \$84 (R)	\$141,086 ³⁶¹	n/a
Nonprofit health organization certification and recertification	Authorizes a nonprofit corporation to conduct scientific research and research projects in the public interest in the field of medical science, medical economics, public health, sociology, or a related area; support medical education in medical schools through grants and scholarships; improve and develop the capabilities of individuals and institutions studying, teaching, and practicing medicine; deliver health care to the public; or instruct the general public in medical science, public health, and hygiene and provide related	162	340	\$2,500 ³⁶³ \$1,068 ³⁶⁴	\$194,820 ³⁶¹	1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	instruction useful to individuals and beneficial to the community. The organization must be organized and incorporated solely by persons licensed by the board and have as its directors and trustees persons who are licensed by the board and actively engaged in the practice of medicine.					
Texas Board of Nursing						
Vocational nurse license	Authorizes holder to practice a directed scope of nursing that involves: collecting data and performing focused nursing assessments of the health status of an individual; participating in the planning of the nursing care needs of an individual and the development and modification of the plan; participating in health teaching and counseling to promote, attain, and maintain the optimum health level of an individual; and assisting in the evaluation of an individual's response to a nursing intervention and the identification of an individual's needs.	301	82,621	\$139 (O) \$58 (R) ³⁶⁵ \$200 (E) ³⁶⁶	\$2,582,387	1951
Registered nurse license	Authorizes holder to practice professional nursing, which involves: the observation, assessment, intervention, evaluation, rehabilitation, care and counsel, or health teachings of a person who is ill, injured, infirm, or experiencing a change in normal health processes; the maintenance of health or prevention of illness; the administration of a medication or treatment as ordered by a physician, podiatrist, or dentist; the supervision or teaching of nursing; the administration, supervision, and evaluation of nursing practices, policies, and procedures; the requesting, receiving, signing for, and distribution of prescription drug samples	301	201,172	\$139 (O) \$67 (R) ³⁶⁵ \$200 (E) ³⁶⁶	\$6,257,804	1909

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
	to patients at sites in which a registered nurse is authorized to sign certain prescription drug orders; the performance of certain acts delegated by a physician; and the development of the nursing care plan.					
Advanced nurse practitioner license	Authorizes holder to practice in an expanded role acting independently or in collaboration with other health care professionals in the delivery of health care services to individuals, families, or groups in a variety of settings, including homes, hospitals, institutions, offices, industry, schools, community agencies, public and private clinics, and private practice.	301	12,024	\$75 (O) \$50 (R) \$25 (P) ³⁶⁷	\$365,230	1995
Texas Optometry Board						
Optometrist license	Authorizes holder to determine or measure the powers of vision of the human eye; examine or diagnose visual defects, abnormal conditions, or diseases of the human eye or adnexa; or prescribe or fit lenses or prisms to correct or remedy a defect or abnormal condition of vision.	351	2,993	\$255 (O) \$387 (R) ³⁷⁵	\$1,276,662 ³⁶⁸	1921
Texas State Board of Pharmacy						
Pharmacist license	Authorizes holder to dispense or distribute prescription drugs.	551, 558, 559	23,939	\$214 ³⁶⁹	\$2,308,334	1907
Pharmacy license	Authorizes holder to operate a pharmacy. The specific authorization provided by each class of license is as follows:	551, 560, 561	6,315	\$385 ³⁶⁹	\$1,064,079	1929
<ul style="list-style-type: none"> • Class A pharmacy license (community pharmacy) • Class B pharmacy license (nuclear pharmacy) 	<p>Authorizes pharmacy to dispense a drug or device to the public under a prescription drug order.</p> <p>Authorizes pharmacy to dispense a radioactive drug or device for administration to an ultimate user.</p>					

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Class C pharmacy license (institutional pharmacy) • Class D pharmacy license (clinic pharmacy) • Class E pharmacy license (nonresident pharmacy) 	<p>Authorizes holder to operate a pharmacy located in certain inpatient facilities, hospitals, and ambulatory surgical centers.</p> <p>Authorizes pharmacy to dispense a limited type of drug or device under a prescription drug order.</p> <p>Authorizes a pharmacy located in another state whose primary business is to dispense a prescription drug or device under a prescription drug order and deliver the drug or device to a patient by United States mail, common carrier, or delivery service to operate in this state.</p>					
Pharmacy technician registration ³⁷⁰	Authorizes registrant to be employed by a pharmacy and to work under the direct supervision of a pharmacist providing technical services that do not require professional judgment regarding preparing and distributing drugs.	568	32,106	\$59 (O) \$56 (R) ³⁶⁹	\$811,822	1999
Executive Council of Physical Therapy and Occupational Therapy Examiners						
Physical therapist license	Authorizes holder to practice a form of health care designed to prevent, identify, correct, or alleviate acute or prolonged movement dysfunction or pain of anatomic or physiologic origin and that includes hydrotherapy, physiotherapy, mechano-therapy, functional therapy, kinesiotherapy, physical rehabilitation, and myofunctional therapy.	453	9,963	\$170 (O) \$217 (R) ³⁷¹	\$1,178,833	1971
Physical therapist assistant license	Authorizes holder to assist in the practice of physical therapy under supervision of a physical therapist.	453	4,589	\$116 (O) \$167 (R) ³⁷¹	\$419,596	1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Occupational therapist license	Authorizes holder to: evaluate or treat a person whose ability to perform the tasks of living is threatened or impaired by developmental deficits, the aging process, environmental deprivation, sensory impairment, physical injury or illness, or psychological or social dysfunction; use therapeutic goal-directed activities to evaluate, prevent, or correct physical or emotional dysfunction, or maximize function in a person's life; or apply therapeutic goal-directed activities in treating patients on an individual basis, in groups, or through social systems, by means of direct or monitored treatment or consultation.	454	6,131	\$120 (O) \$217 (R) ³⁷¹	\$745,086	1983
Occupational therapist assistant license	Authorizes holder to assist in the practice of occupational therapy under the general supervision of an occupational therapist.	454	2,235	\$93 (O) \$167 (R) ³⁷¹	\$230,512	1983
Physical therapy and occupational therapy facility license	Authorizes holder to own and/or operate a physical therapy or occupational therapy facility.	453 454	2,862	\$314 (O) ³⁷² \$306 (R) ³⁷³	\$603,783	1993
Texas Board of Plumbing Examiners						
Drain cleaner registration	Authorizes registrant to install cleanouts and remove and reset P-traps (a commonly used type of drain trap), for the purposes of eliminating obstructions in building drains and sewers, only under the supervision of a master plumber and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	643	\$10	\$6,428	2001
Drain cleaner restricted registration	Authorizes registrant to clear obstructions in sewer and drain lines only through any existing code-approved opening, only under the supervision of a master plumber, and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	714	\$10	\$7,142	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Journeyman plumber license	Authorizes holder to do plumbing work only under the general supervision of a master plumber and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	12,726	\$25	\$318,913	1947
Master plumber license	Authorizes holder to perform plumbing work, enter into a contract or agreement to perform plumbing work for the general public, and secure permits to perform plumbing work.	1301	9,690	\$180 to \$193 (O) \$193 (R)	\$1,874,251	1947
Plumber's apprentice registration	Authorizes registrant, as his or her principal occupation, to engage in learning and assisting in the installation of plumbing, only under the supervision of a master plumber and the direct supervision of a licensed plumber and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	23,382	\$10	\$233,826	2001
Plumbing inspector license	Authorizes holder to conduct plumbing inspections as an employee or independent contractor of a political subdivision for compliance with health and safety laws and ordinances.	1301	1,238	\$50	\$61,900	1947
Residential utilities installer registration	Authorizes registrant to construct and install yard water service piping and building sewers for one- or two-family dwellings only, only under the supervision of a master plumber, and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	1,011	\$10	\$10,112	2001
Tradesman plumber limited license	Authorizes holder to construct and install plumbing for only one- or two-family dwellings, only under the supervision of a master plumber and only under a contract or agreement to perform plumbing work secured by a master plumber.	1301	1,997	\$25	\$50,279	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Board of Podiatric Medical Examiners						
Podiatric physician license	Authorizes holder to treat or offer to treat any disease, disorder, physical injury, deformity, or ailment of the human foot by any system or method.	202	917	\$444 (O) \$440 (R)	\$403,480	1923
Texas Polygraph Examiners Board						
Polygraph examiner internship license	Authorizes holder to engage in a course of study of polygraph examination and the administration of such an examination as a trainee under the personal supervision and control of a polygraph examiner as prescribed by the Texas Polygraph Examiners Board at the beginning of the internship.	1703	12	\$150 (O) \$75 (R) ³⁷⁴	\$1,800	1965
Polygraph examiner license	Authorizes holder to use an instrument, including a polygraph, to detect deception or verify the truth of a statement or to present himself or herself as a polygraph examiner. Includes a person who is a city, county, or state employee.	1703	248	\$500 (O) \$450 (R)	\$114,200	1965
Texas State Board of Examiners of Psychologists						
Psychologist license	Authorizes holder to provide or offer to provide services to an individual or group, including: providing computerized procedures to describe, explain, and ameliorate behavior; evaluating, preventing, and remediating psychological, emotional, mental, interpersonal, learning, and behavioral disorders of individuals or groups, as well as the psychological disorders that accompany medical problems, organizational structures, stress, and health; using projective techniques, neuropsychological testing, counseling, career counseling, psychotherapy, hypnosis for health care purposes, hypnotherapy, and biofeedback; and evaluating and treating mental or emotional disorders and disabilities.	501	7,653	\$180 (O) \$387 (R) ³⁷⁵	\$334,900 ³⁷⁶	1969

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Psychologist - provisional license	Authorizes holder to practice under the supervision of a licensed psychologist. This license is a prerequisite for licensure as a psychologist.	501		\$340 (O) \$291 (R) ³⁷⁵		1997 ³⁷⁷
School psychology specialist license	Authorizes holder to be employed by a school district as a school psychologist or associate school psychologist.	501 ³⁷⁸		\$220 (O) \$239 (R) ³⁷⁵		1995
Psychological associate license	Authorizes holder with master's degree from an accredited university or college in a program that is primarily psychological in nature to engage in the practice of psychology under the supervision of a licensed psychologist and to use certain titles in that practice.	501		\$190 (O) \$296 (R) ³⁷⁵		1969
Texas Department of Public Safety^{379,380}						
Alarm systems installer registration	Authorizes registrant to install, maintain, or repair an alarm system or detection device or an electronic access control device.	1702	2,955	\$30	\$88,650	1983
Alarm systems monitor registration	Authorizes registrant to monitor an alarm system or detection device.	1702	1,734	\$30	\$52,020	1987
Alarm systems salesperson registration	Authorizes registrant to sell an alarm system or detection device, including an electronic access control device, for a Class B or C licensed company.	1702	1,992	\$30	\$59,760	1987 ³⁸¹
Branch office manager registration	Authorizes registrant to operate a branch office of a security services contractor or investigations company.	1702	122	\$30	\$3,660	1975
Commissioned security officer registration	Authorizes a person to whom a security officer commission has been issued by the department's Private Security Bureau to be employed as a security officer and carry a firearm while on duty.	1702	9,303	\$50	\$465,150	1975

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
• Class C	<i>Investigations and contract security services company.</i> Authorizes holder to provide services included within Classes A and B.		618	\$540	\$333,720	1975
• Class D	<i>Electronic access control device company.</i> Authorizes holder to install or maintain an electronic access control device, defined as an electronic, electrical, or computer-based device, including a telephone entry system, that allows access to a controlled area of a business but that is not monitored by security personnel or services and does not send a signal to which law enforcement or emergency services respond.		38	\$400	\$15,200	2003
• Class DD	<i>Private security consulting company.</i> ³⁸⁴ Authorizes holder to consult, advise, train, or specify or recommend products, services, methods, or procedures in the security loss prevention industry on an independent basis and without being affiliated with a particular service or product. Holder also must meet certain experience requirements established by the bureau.		94	\$300	\$28,200	1983
• Class F	<i>Level III training school.</i> Authorizes holder to provide training to an applicant for a security officer commission or a personal protection officer authorization.		189	\$350	\$66,150	2004
• Class O	<i>Alarm Level I training school.</i> Authorizes holder to provide training to an alarm systems installer or a security salesperson.		2	\$350	\$700	2004
• Class P	<i>Private business letter of authority.</i> ³⁸⁵ Entitles the security department of a private business to employ a commissioned security officer.		288	\$400	\$115,200	1975

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Guard dog trainer registration	Authorizes an employee of a licensed guard dog company or investigations company to train a dog used to protect persons or property or to conduct investigations.	1702	46	\$30	\$1,380	1987
Instructor license	Authorizes holder to teach basic training courses for commissioned security officers at a school approved by the bureau. Such a course must include general security officer training issues, classroom instruction on handgun proficiency, and range instruction on handgun proficiency.	1702	588	\$100	\$58,800	1975
Locksmith registration	Authorizes an employee of a licensed locksmith company to sell, install, service, or maintain mechanical security devices, including deadbolts and locks, and to advertise or offer services to the public or represent to the public that the person is a locksmith.	1702	614	\$30	\$18,420	2003
Manager registration	Authorizes an officer or supervisor of a corporation or a general partner of a partnership who meets certain qualification and experience requirements to manage a security services contractor or investigations company.	1702	155	\$30	\$4,650	1969
Noncommissioned security officer registration	Authorizes a person to provide security services without a security officer commission issued by the bureau and therefore without authorization to carry a firearm while on duty.	1702	36,145	\$30	\$1,084,350	1983
Owner, partner, shareholder, or officer registration	Authorizes registrant to be an owner, partner, shareholder, or officer of a licensed private security provider, including an alarm systems installer, alarm systems monitor, electronic access control device installer, locksmith, guard dog trainer, manager or branch office manager, noncommissioned security officer, private investigator, private security consultant, or security salesperson.	1702	4,213	\$50	\$210,650	1987

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Personal protection officer authorization	Authorizes an individual who has been issued a security officer commission by the bureau to carry a concealed firearm to protect an individual from bodily harm.	1702	201	\$50	\$10,050	1995
Private investigator registration	Authorizes an employee of a licensed investigations company (a holder of a Class A or C company license) to provide investigative services offered by the company.	1702	1,638	\$30	\$49,140	1969 ³⁸³
School license	Authorizes holder to offer basic training courses for commissioned security officers, taught by instructors approved by the bureau. Such a course must include general security officer training issues, classroom instruction on handgun proficiency, and range instruction on handgun proficiency.	1702	189	\$350	\$66,150	1975
Security salesperson registration	Authorizes registrant to be employed by a security services contractor (a holder of a Class B or C company license) to sell services offered by the contractor.	1702	290	\$30	\$8,700	1987
Texas Racing Commission³⁸⁷						
Adoption program personnel license	Authorizes a greyhound association employee to work with the adoption program at a track to place dogs with adoption groups or adoptive homes.	16 T.A.C. §311.1	5	\$20	\$100	1989
Announcer license	Authorizes an individual hired by a racetrack association to announce races.	16 T.A.C. §311.1	12	\$25	\$300	1989
Apprentice jockey license	Authorizes holder who meets the qualifications of a jockey to ride thoroughbred horses with an apprentice weight allowance.	16 T.A.C. §§311.1 and 311.105	13	\$55	\$715	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Assistant farrier, plater, or blacksmith license	Authorizes an individual hired by a licensed farrier to assist in holding a race animal when shoeing.	16 T.A.C. §311.1	4	\$20	\$80	1989
Assistant starter license	Authorizes an individual hired by a horse racetrack association to perform duties required by the starter at the starting gate.	16 T.A.C. §311.1	72	\$20	\$1,420	1989
Assistant trainer license	Authorizes an individual hired by a licensed trainer and who is at least 18 years of age and has met the qualifications required by the Board of Stewards/Judges to perform duties required by the trainer.	16 T.A.C. §311.1	112	\$75	\$8,400	1989
Assistant trainer-owner license	Authorizes an individual hired by a licensed trainer-owner and who is at least 18 years of age and has met the qualifications required by the Board of Stewards/Judges to perform duties required by the trainer-owner.	16 T.A.C. §311.1	45	\$75	\$3,300	1989
Association assistant management license	Authorizes holder to assist a department manager of a racetrack association; does not include the authority to hire or fire employees.	16 T.A.C. §311.1	25	\$35	\$875	1989
Association management personnel license	Authorizes holder to manage a department of a racetrack association, including the authority to hire or fire employees.	16 T.A.C. §311.1	106	\$50	\$5,300	1989
Association officer or director license	Authorizes holder to fill a key position in the management or ownership of a racetrack association, including association owner, board member, officer, and senior manager.	16 T.A.C. §311.1	24	\$75	\$1,800	1989
Association license (other)	Authorizes holder to perform duties as an employee of a racetrack association in a position not covered under any other title.	16 T.A.C. §311.1	15	\$50	\$750	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Association staff license	Authorizes holder to provide various services as an employee of a racetrack association, including clerical, accounting, admissions, food service, housekeeping, front side maintenance, parking, and ushering.	16 T.A.C. §311.1	2,013	\$25	\$49,725	1989
Association veterinarian license	Authorizes a licensed veterinarian hired by a greyhound racetrack association to provide veterinary services for greyhounds.	16 T.A.C. §311.1	8	\$50	\$400	1989
Authorized agent license	Authorizes a person appointed by an owner or trainer of a horse to represent the owner or trainer. The person must be licensed as an owner or trainer and be appointed by a written instrument acknowledged and approved by the commission.	16 T.A.C. §§311.1 and 311.108	18	\$10	\$180	1989
Chaplain license	Authorizes a member of the clergy to be allowed on racetrack association grounds for religious meetings or counseling.	16 T.A.C. §311.1	6	\$20	\$120	1989
Chaplain assistant license	Authorizes an individual to work for a chaplain on racetrack association grounds for religious meetings or counseling.	16 T.A.C. §311.1	1	\$20	\$20	1989
Exercise rider license	Authorizes holder to exercise horses on a racetrack during training. May be self-employed or employed by a trainer. Must be at least 16 years of age.	16 T.A.C. §311.1	257	\$20	\$5,080	1989
Farrier, plater, or blacksmith license	Authorizes a self-employed individual to provide horse shoeing services to licensees on racetrack association grounds.	16 T.A.C. §311.1	52	\$55	\$2,860	1989
Groom or hot walker license	Authorizes an individual 16 years of age or older hired by a licensed trainer to provide care for horses.	16 T.A.C. §311.1	1,351	\$20	\$26,660	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Jockey license	Authorizes an individual who is 16 years of age or older and who has provided proof of a satisfactory physical examination within the previous 12-month period to ride thoroughbreds in a race.	16 T.A.C. §§311.1 and 311.105	174	\$75 ³⁸⁸	\$15,375	1989
Jockey agent license	Allows an individual who is authorized by a licensed jockey to represent the jockey in securing mounts.	16 T.A.C. §311.1	23	\$75	\$1,725	1989
Kennel registration	Authorizes an individual, partnership, corporation, or other entity to operate at a greyhound track under a kennel name.	16 T.A.C. §311.1	35	\$50	\$1,750	1989
Kennel helper license	Authorizes an individual 16 years of age or older hired by a licensed kennel to work on racetrack association grounds.	16 T.A.C. §311.1	100	\$20	\$2,000	1989
Kennel owner license	Authorizes an individual approved by a greyhound racetrack association to operate a kennel on association grounds. Must be sole or part owner of the kennel or a lessor or lessee. The kennel owner must be under contract with the association.	16 T.A.C. §§311.1 and 311.103	0	\$75 ³⁸⁸	0	1989
Kennel owner/owner license	Authorizes an individual approved by a greyhound racetrack association to operate a kennel on association grounds. Must be sole or part owner of record or a lessor or lessee of a properly registered race animal that the individual intends to race in Texas and that is in the care of a licensed trainer.	16 T.A.C. §§311.1, 311.102, and 311.103	16	\$75 ³⁸⁸	\$1,425	1989
Kennel owner/owner-trainer license	Authorizes an individual 18 years of age or older approved by a greyhound racetrack association to operate a kennel on association grounds. Must be sole or part owner of record or a lessor or lessee of a properly registered race animal that the individual intends to race in Texas and that is in training for that purpose.	16 T.A.C. §§311.1, 311.103, and 311.104	24	\$75 ³⁸⁸	\$1,800	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Kennel owner/trainer license	Authorizes an individual 18 years of age or older approved by a greyhound racetrack association to operate a kennel on association grounds. Must be sole or part owner of record or a lessor or lessee of a properly registered race animal that the person intends to race in Texas and must be the animal's trainer.	16 T.A.C. §§311.1, 311.103, and 311.104	2	\$75 ³⁸⁸	\$150	1989
Leadout license	Authorizes holder hired by a greyhound racetrack association to lead greyhounds in the post parade to the starting box.	16 T.A.C. §§311.1 and 311.110	170	\$20	\$3,360	1989
Maintenance license	Authorizes holder hired by a racetrack association to perform maintenance duties, including on the track and in barns.	16 T.A.C. §311.1	245	\$20	\$4,880	1989
Medical staff license	Authorizes holder hired by a racetrack association to provide medical assistance to racetrack staff and patrons.	16 T.A.C. §311.1	16	\$25	\$400	1989
Miscellaneous license	Authorizes holder hired by a racetrack association to perform duties for which no other license type applies (for example, a pari-mutuel wagering system technician).	16 T.A.C. §311.1	3	\$20	\$60	1989
Multiple owner, stable, or farm registration	Authorizes the owner of a race animal that is an entity other than an individual, such as a partnership, stable, or farm, and that owns at least 5 percent of the race animal to be registered so the animal will be permitted to race. Also authorizes a kennel not located on the grounds of a Texas racetrack to race its animals.	16 T.A.C. §311.101	960	\$25 ³⁸⁹	\$32,825	1989
Mutuel clerk license	Authorizes an individual 16 years of age or older hired by a racetrack association to work at the betting windows.	16 T.A.C. §§311.1 and 311.109	613	\$25	\$15,300	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Mutuel license (other)	Authorizes an individual hired by a racetrack association to work in the mutuel department in a capacity other than a mutuel clerk.	16 T.A.C. §§311.1 and 311.109	30	\$25	\$725	1989
Owner license	Authorizes an individual who is a sole or part owner of record or a lessor or lessee of a properly registered race animal to race the animal in Texas.	16 T.A.C. §311.101 or §311.102	3,831	\$75 ³⁸⁸	\$408,705	1989
Owner-trainer license	Authorizes an individual 18 years of age or older who has qualified as a trainer to train animals for which the person is: (1) the owner or the lessee or lessor of record; or (2) has an ownership interest in any properly registered race animal intended for racing in Texas.	16 T.A.C. §311.101 or §311.102, and §311.104	807	\$75 ³⁸⁸	\$85,575	1989
Pony person license	Authorizes an individual to "pony" horses for training or on race day, which involves accompanying a race animal on another horse to exercise and calm the race animal.	16 T.A.C. §311.1	109	\$20	\$2,180	1989
Racing industry representative license	Authorizes holder to be the executive director of a breed organization or racing industry organization.	16 T.A.C. §311.1	6	\$75	\$450	1989
Racing industry staff license	Authorizes holder to be employed by a breed organization or racing industry organization.	16 T.A.C. §311.1	10	\$25	\$250	1989
Racing official license	Authorizes an individual hired by a racetrack association to act in an official capacity where the title or duties are not described under any other license category.	16 T.A.C. §311.1	124	\$25	\$3,050	1989
Security officer license	Authorizes an individual hired by a racetrack association to provide security for the racetrack grounds.	16 T.A.C. §311.1	274	\$25	\$6,775	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Stable foreman license	Authorizes an individual hired by a horse owner or trainer to supervise a stable.	16 T.A.C. §311.1	16	\$25	\$400	1989
Tattooer license	Authorizes an individual contracted by the Thoroughbred Racing and Protective Bureau or the American Quarter Horse Association to tattoo racehorses.	16 T.A.C. §311.1	2	\$75	\$150	1989
Test technician license	Authorizes an individual hired by a horse racetrack association to work in the testing area and to collect blood and urine samples, among other duties.	16 T.A.C. §311.1	52	\$20	\$1,000	1989
Tooth floater license	Authorizes holder to work under the supervision of a licensed veterinarian providing equine dentistry on racetrack association grounds.	16 T.A.C. §311.1	7	\$75	\$525	1989
Trainer license	Authorizes holder who is 18 years of age or older to train one or more horses or greyhounds for the purpose of racing in Texas.	16 T.A.C. §311.104	226	\$75 ³⁸⁸	\$21,600	1989
Training facility employee license	Authorizes an owner of a horse training facility or an individual hired by the training facility to work at that facility.	16 T.A.C. §311.1	8	\$25	\$200	1989
Training facility general manager or chief executive officer license	Authorizes holder to oversee a horse training facility and its employees.	16 T.A.C. §311.1	3	\$25	\$75	1989
Valet license	Authorizes holder hired by a racetrack association to assist jockeys with their tack, silks, and other equipment in the jockey room.	16 T.A.C. §311.1	31	\$20	\$620	1989
Vendor or concessionaire license	Authorizes an individual, company, or corporation providing goods or services to a racetrack association, and who has approval from the association, to conduct business on association grounds.	16 T.A.C. §311.1	75	\$75	\$5,625	1989

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Vendor or concessionaire employee license	Authorizes an employee or owner of a vendor who works on racetrack association grounds to deliver goods or services on behalf of the vendor within the enclosure.	16 T.A.C. §311.1	418	\$25	\$10,350	1989
Veterinarian license	Authorizes a self-employed veterinarian licensed by the Texas State Board of Veterinary Examiners to practice on racetrack association grounds.	16 T.A.C. §§311.1 and 311.106	24	\$75 ³⁸⁸	\$3,075	1989
Veterinarian assistant license	Authorizes an individual hired by a licensed veterinarian to assist the veterinarian on racetrack association grounds. Also authorizes holder to perform massage therapy on horses.	16 T.A.C. §311.1	34	\$25	\$850	1989
Railroad Commission of Texas³⁹⁰						
Compressed natural gas (CNG) license		116				1983
• Category 1	Authorizes a manufacturer of CNG cylinders to manufacture, assemble, repair, test, sell, install, or subframe CNG cylinders.		6	\$1,000 (O) \$600 (R)	\$3,600	
• Category 2	Authorizes a general installer or repairman to sell, install, service, or repair CNG systems, including cylinders.		19	\$300 (O) \$150 (R)	\$5,250	
• Category 3	Authorizes a retail or wholesale dealer to sell, store, transport for delivery, or dispense CNG for use other than by an ultimate consumer, and to sell, install, service, or repair CNG systems.		4	\$750 (O) \$300 (R)	\$1,800	
• Category 4	Authorizes a testing laboratory to test CNG cylinders.		1	\$400 (O) \$200 (R)	\$200	

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Category 5 • Category 6 	<p>Authorizes holder to operate a CNG service station and fill CNG cylinders or a cylinder exchange dealership and fill or sell CNG cylinders, sell CNG in cylinders, and replace cylinder valves.</p> <p>Authorizes an equipment dealer to sell CNG cylinders or systems.</p>		<p>1</p> <p>0</p>	<p>\$100 (O) \$70 (R)</p> <p>\$100 (O) \$50 (R)</p>	<p>\$70</p> <p>0</p>	
<p>Liquefied natural gas (LNG) license</p> <ul style="list-style-type: none"> • Category 15 • Category 20 • Category 25 • Category 30 • Category 35 	<p>Authorizes holder to manufacture, fabricate, assemble, repair, install, test, and sell LNG containers, including LNG motor or mobile fuel containers and systems, and to repair transport and transfer systems for use in Texas.</p> <p>Authorizes a transport outfitter to subframe, test, and sell LNG transport containers; to test LNG storage containers; to install, test, and sell LNG motor or mobile fuel containers and systems; and to install and repair transport systems and motor or mobile fuel systems for use in Texas.</p> <p>Authorizes a carrier to transport LNG, including its loading and unloading.</p> <p>Authorizes a general installer or repairman to sell, repair, service, or install stationary LNG containers and LNG systems.</p> <p>Authorizes a retail or wholesale dealer to store, sell, transport, and distribute LNG and to engage in any other activity authorized for an LNG licensee except the manufacture, fabrication, assembly, repair, subframing, and testing of LNG containers.</p>	<p>116</p>	<p>2</p> <p>2</p> <p>2</p> <p>3</p> <p>4</p>	<p>\$1,000 (O) \$600 (R)</p> <p>\$400 (O) \$200 (R)</p> <p>\$1,000 (O) \$300 (R)</p> <p>\$100 (O) \$70 (R)</p> <p>\$750 (O) \$300 (R)</p>	<p>\$1,200</p> <p>\$400</p> <p>\$1,300</p> <p>\$240</p> <p>\$1,800</p>	<p>1993</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
<ul style="list-style-type: none"> • Category 40 • Category 45 • Category 50 	<p>Authorizes a general public dispensing station to store, sell, and dispense LNG into motor and mobile fuel containers.</p> <p>Authorizes holder to sell and install LNG motor or mobile fuel containers and to sell, repair, and install LNG motor or mobile fuel systems.</p> <p>Authorizes a testing laboratory to test LNG containers, LNG motor fuel systems or mobile fuel systems, transfer systems, and transport systems for the purpose of determining the safety of the containers or systems for LNG service, including the necessary installation, disconnection, reconnection, testing, and repair of LNG motor fuel systems or mobile fuel systems, transfer systems, and transport systems involved in the testing of containers.</p>		<p>0</p> <p>2</p> <p>0</p>	<p>\$150 (O) \$70 (R)</p> <p>\$100 (O) \$50 (R)</p> <p>\$200 (O) \$100 (R)</p>	<p>0</p> <p>\$100</p> <p>0</p>	
<p>Liquefied petroleum gas (LPG) license</p> <ul style="list-style-type: none"> • Category A • Category B • Category C 	<p>Authorizes holder to manufacture, fabricate, assemble, repair, install, subframe, test, and sell LPG containers, including LPG motor or mobile fuel containers and systems, and to repair and install transport and transfer systems.</p> <p>Authorizes a transport outfitter to subframe, test, and sell LPG transport containers; test LPG storage containers; install, test, and sell LPG motor or mobile fuel containers and systems; and install and repair transport systems and motor or mobile fuel systems.</p> <p>Authorizes a carrier to transport LPG, including its loading and unloading, and to install and repair transport systems.</p>	<p>113</p>	<p>21</p> <p>12</p> <p>17</p>	<p>\$1,000 (O) \$600 (R)</p> <p>\$400 (O) \$200 (R)</p> <p>\$1,000 (O) \$300 (R)</p>	<p>\$15,200</p> <p>\$6,200</p> <p>\$9,580</p>	<p>1959</p>

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
• Category D	Authorizes a general installer or repairman to sell, service, and install containers, excluding motor fuel containers, and to service, install, and repair piping, certain appliances as defined by rule (excluding recreational vehicle appliances and LPG systems), and motor fuel and recreational vehicle systems.		934	\$100 (O) \$70 (R)	\$68,445	
• Category E	Authorizes a retail or wholesale dealer to store, sell, transport, and distribute LPG and to engage in any other activity authorized for an LPG licensee except the manufacture, fabrication, assembly, repair, subframing, and testing of LPG containers, and the sale and installation of LPG motor or mobile fuel systems that service an engine with a rating of more than 25 horsepower.		489	\$750 (O) \$300 (R)	\$156,160	
• Category F	Authorizes holder to operate a cylinder-filling facility and to sell LPG in cylinders and replace cylinder valves.		28	\$100 (O) \$50 (R)	\$1,400	
• Category G	Authorizes holder to operate an LPG dispensing station that fills ASME containers ³⁹¹ designed for motor or mobile fuel.		1	\$100 (O) \$50 (R)	\$50	
• Category H	Authorizes a cylinder dealer to transport and sell LPG in cylinders.		5	\$1,000 (O) \$300 (R)	\$2,900	
• Category I	Authorizes holder to engage in any service station and cylinder activity set out in Categories F and G.		482	\$150 (O) \$70 (R)	\$39,840	
• Category J	Authorizes holder to operate a cylinder-filling facility; sell, transport, install, and connect LPG in cylinders; replace cylinder valves; and operate an LPG service station as set out in Category G.		46	\$1,000 (O) \$300 (R)	\$18,450	

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
• Category K	Authorizes holder to sell and distribute LPG through mains or pipes, and to install and repair LPG systems.		0	\$1,000 (O) \$300 (R)	0	
• Category L	Authorizes holder to sell and install LPG motor or mobile fuel containers and systems.		97	\$100 (O) \$50 (R)	\$5,955	
• Category M	Authorizes a recreational vehicle installer or repairman to sell, service, and install recreational vehicle containers, appliances, piping, and LPG systems, including recreational vehicle motor or mobile fuel systems and containers.		115	\$100 (O) \$70 (R)	\$8,305	
• Category N	Authorizes a manufactured housing installer or repairman to service and install containers that supply fuel to manufactured housing and to install, repair, and service appliances and piping systems for manufactured housing.		3	\$100 (O) \$70 (R)	\$210	
• Category O	Authorizes a testing laboratory to test LPG containers, LPG motor fuel systems or mobile fuel systems, transfer systems, and transport systems for the purpose of determining the safety of the containers or systems for LPG service, including the necessary installation, disconnection, reconnection, testing, and repair of LPG motor fuel systems or mobile fuel systems, transfer systems, and transport systems involved in the testing of containers.		21	\$400 (O) \$100 (R)	\$2,450	
• Category P	Authorizes holder to operate a portable cylinder exchange service where the sale of LPG is within a portable cylinder with an LPG capacity not to exceed 21 pounds, where the portable cylinders are not filled on site, and where no other LPG activity requiring a license is conducted.		1,529	\$100 (O) \$50 (R)	\$113,240	

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Real Estate Commission						
Easement or right-of-way agent registration	Authorizes registrant to perform technical and clerical work related to state and federally funded easement or right-of-way negotiations, relocations, appraisals, utilities and adjustments, acquisitions, and compliance for highway construction and improvements, and for the leasing, disposal, or exchange of highway assets.	22 T.A.C. §535.400	1,505	\$80	\$120,400	1997
Proprietary real estate school registration	Authorizes registrant to offer a real estate or real estate inspection educational program or course of study. Excludes an accredited college or university.	22 T.A.C. §535.64	56	\$400 (O) \$200 (R)	\$13,000	2000
Real estate broker license	Authorizes holder to act as an intermediary between a seller and a buyer of real estate. Among other activities, the holder may sell, exchange, purchase, lease, or negotiate the sale of real estate and may offer to appraise or auction real estate. Includes a person employed by or for an owner of real estate to sell any portion of real estate or a person who engages in the business of charging an advance fee or contracting to collect a fee under a contract that requires the person primarily to promote the sale of real estate.	1101	23,150	\$75 (O) \$60 (R)	\$1,455,525	1939 ³⁹²
Real estate inspector license	Authorizes holder to perform real estate inspections and render a statement regarding the condition of the improvements to real property, including structural items, electrical items, mechanical systems, plumbing systems, and equipment.	1102	4,260	\$35 to \$60 (O) ³⁹³ \$48 to \$58 (R) ³⁹³	\$175,035	1991
Real estate instructor registration	Authorizes registrant to teach mandatory continuing education courses relating to real estate or real estate inspection.	22 T.A.C. §535.64	848	\$25	\$21,200	2000

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Real estate salesperson license	Authorizes holder, when associated with an authorized broker, to directly or indirectly perform, offer, attempt, or agree to perform for another person any act within that broker's purview.	1101	84,068	\$50 (O) \$30 or \$60 (R) ³⁹⁴	\$4,001,167	1939
Residential service company registration	Authorizes registrant to issue a home warranty contract to maintain, repair, or replace all or any part of the appliances; structural components; or electrical, plumbing, heating, cooling, or air conditioning systems of residential property or to perform or arrange to perform services under such a contract.	1303	155	\$3,500	\$120,000	1979
Texas Residential Construction Commission^{395,396}						
Builder/remodeler registration	Authorizes holder, for a price, fee, commission, or wage, to construct, supervise, or manage the construction of: (1) a new home; (2) a material improvement to an existing home, other than solely the replacement or repair of the roof of an existing home; or (3) an improvement to the interior of an existing home when the cost of the work exceeds \$20,000.	416	26,618	\$500 (O) \$300 (R)	\$6,999,146	2003
Residential construction arbitrator certification	Authorizes holder to hear the claims of the parties to a dispute and render a decision. An arbitrator may be chosen by the parties, appointed by a court, or selected by a third party under an agreement of the parties to the dispute or in accordance with applicable rules.	417	5	\$50	\$50	2003
Third-party inspector registration	Authorizes registrant to investigate whether a construction for which the homeowner has filed a complaint against the builder complies with applicable warranty and building and performance standards. Separate registration qualifications are required for an inspector of workmanship and materials issues and an inspector of structural issues.	427	80	\$50	\$4,750	2003

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Third-party warranty company registration	Authorizes registrant to contract with a builder or remodeler to provide the homeowner with minimum warranties for workmanship and materials, mechanical delivery systems, structural soundness, and habitability. The company is expected to assist the homeowner with the repair of defective items that are warranted.	430	9	\$500 (O) \$300 (R)	\$2,525	2003
Texas Department of Savings and Mortgage Lending³⁹⁷						
Loan officer license	Authorizes holder to be sponsored by a licensed mortgage broker for the purpose of performing the acts of a mortgage broker.	156	8,547	\$175	\$1,498,164	1999
Mortgage banker registration	Authorizes registrant, who must be authorized or approved as a mortgager with direct underwriting authority by the U.S. Department of Housing and Urban Development or an approved seller or servicer of specified federal mortgage associations, to make real estate loans directly to consumers.	157	470	\$500	\$240,801	2003
Mortgage broker license	Authorizes holder to receive an application from a prospective borrower for the purpose of making a mortgage loan from that person's own funds or from the funds of another person.	156	2,901	\$375	\$1,092,701	1999
Mortgage broker branch office license	Authorizes a branch office of a licensed mortgage broker to make mortgage loans.	156	758	\$50	\$37,900	1999
State savings institution charter	Authorizes holder to incorporate as a state savings bank.	7 T.A.C. §75.1	5	\$10,000	\$50,000	1993
Texas State Securities Board^{398,399}						
Investment adviser registration	Authorizes registrant, directly or through representatives, to render investment advice within the state for compensation.	581	7,502	\$275 (O) ⁴⁰⁰ \$270 (R) ⁴⁰⁰	\$2,032,090	2001

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Securities dealer registration	Authorizes registrant, directly or through agents, to offer for sale, sell, or make a sale of securities in this state.	581				1957
Investment adviser branch office registration	Authorizes registrant to operate as a branch location of a registered investment adviser.	581	13,547	\$25	\$338,675	1989
Securities dealer branch office registration	Authorizes registrant to operate as a branch location of a registered dealer.	581				1989
Investment adviser representative registration	Authorizes registrant to act or render services in the state on behalf of a registered investment adviser.	581	223,654 ⁴⁰¹	\$235 (O) ⁴⁰⁰ \$250 (R) ⁴⁰⁰	\$55,101,455	2001
Securities dealer agent registration	Authorizes holder to sell, offer for sale, or make sale of securities in the state on behalf of a registered securities dealer.	581				1957 ⁴⁰²
Board of Tax Professional Examiners						
Tax appraiser registration	Authorizes registrant to propose, render judgment on, recommend, or certify an appraised value to an appraisal review board or to engage in the appraisal of real or personal property for ad valorem tax purposes for an appraisal district. Includes appraisers and appraisal supervisors in private firms that provide appraisal services to appraisal districts under contract.	1151	2,321	\$105 or \$155 (O) ⁴⁰³ \$55 or \$105 (R) ⁴⁰³	\$248,110 ⁴⁰⁴	1977
Tax assessor-collector registration	Authorizes registrant to have responsibility for assessment and collection functions of a taxing unit. Includes an individual who performs such functions and is required to register by the chief administrator of the unit's tax office.	1151	1,155	\$105 or \$155 (O) ⁴⁰³ \$55 or \$105 (R) ⁴⁰³		1977 ⁴⁰⁵
Tax collector registration	Authorizes registrant to have responsibility for the collection functions of a taxing unit.	1151	405	\$105 or \$155 (O) ⁴⁰³ \$55 or \$105 (R) ⁴⁰³		1983

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Texas Department of Transportation						
Converter license	Authorizes holder, before the retail sale of a motor vehicle, to assemble, install, or affix a body, cab, or special equipment to a chassis or to substantially add to, subtract from, or modify a previously assembled or manufactured motor vehicle other than a motor home, ambulance, or firefighting vehicle.	2301	156	\$375	\$58,875	1987
Manufacturer or distributor license	Authorizes holder to manufacture or assemble a new motor vehicle or to distribute or sell such a vehicle to a franchised dealer.	2301	383	\$900	\$340,650	1971
Motor carrier registration	Authorizes registrant to operate a commercial motor vehicle or a tow truck ⁴⁰⁶ on a road or highway of this state or to operate a vehicle, regardless of size, to transport household goods for compensation.	643 ⁴⁰⁷	88,391	\$5 to \$100 ⁴⁰⁸	\$5,559,429	1927 ⁴⁰⁹
Motor vehicle franchised dealer license	Authorizes holder to engage in the business of buying, selling, or exchanging new motor vehicles and servicing or repairing motor vehicles under a manufacturer's warranty at an established and permanent place of business under a franchise in effect with a manufacturer or distributor.	2301	2,954	\$175 to \$750 ⁺⁴¹⁰	\$901,344	1971
Motor vehicle lessor license	Authorizes holder to transfer by lease to another person the right to possess and use a motor vehicle titled in the name of the lessor.	2301	133	\$175 to \$750 ⁴¹¹	\$35,150	1995
Representative license	Authorizes holder to be or act as an agent or employee for a manufacturer, distributor, or converter and to perform any duty in this state relating to promoting the distribution or sale of new motor vehicles or to contact dealers in this state on behalf of a manufacturer, distributor, or converter.	2301	1,941	\$100	\$194,099	1971

Table 1. Occupational Licenses in Texas

Type of License	Description	Code Chapter	Number of Active Licenses	Fees	State Revenue from Fees (FY 07)	Year First Regulated
Salvage vehicle dealer license	Authorizes holder to deal in nonrepairable motor vehicles, salvage motor vehicles, or used parts or to display a motor vehicle as an agent or escrow agent of an insurance company. Excludes a person who casually repairs, rebuilds, or reconstructs fewer than three salvage motor vehicles in the same calendar year.	2302	7,543	\$95	\$716,621	1995
Service-only facility license	Authorizes a facility operated by a franchised dealer that is separate from a dealership, and at which the dealer does not offer motor vehicles for sale, to perform warranty service work on vehicles the dealer is franchised and licensed to sell.	2301 ⁴¹²	3	\$100	\$300	1995
Vehicle lease facilitator license	Authorizes a person, other than a franchised dealer, vehicle lessor, or bona fide employee of a franchised dealer or vehicle lessor to (1) present to another person as a "motor vehicle leasing company" or "motor vehicle leasing agent," or similar title, and solicit or procure another person to enter into an agreement to become the lessee of a motor vehicle that is not, and will not be, titled in the name of or registered to the facilitator; (2) otherwise solicit another person to enter into an agreement to become a lessee of such a vehicle; or (3) otherwise engage in the business of securing lessees or prospective lessees of such a vehicle.	2301	57	\$375	\$21,750	1995
Texas Board of Veterinary Medical Examiners						
Veterinarian license	Authorizes holder to provide veterinary medical services for pets and livestock. ⁴¹³	801	5,924	\$155 (O) ⁴¹⁴ \$341 (R) ⁴¹⁵	\$1,123,200	1911

Notes

- ¹ In addition to these annual fees, the licensee must pay a one-time \$50 public accountant certificate fee (Section 901.251, Occupations Code).
- ² A firm with six or more CPA employees and non-CPA owners also must pay a firm organization fee of \$15 to \$25 (based on the size of the firm) per each such individual.
- ³ The 1979 licensing requirements applied only to a corporation or partnership. In 1991, a definition for “firm” was added to the Public Accountancy Act (Article 41a-1, Vernon’s Texas Civil Statutes, codified in 1999 as Chapter 901, Occupations Code) that applied the requirements to a sole proprietorship, partnership, professional or other corporation, or other business engaged in the practice of public accountancy.
- ⁴ Code chapter references are to the Health and Safety Code.
- ⁵ Licenses previously were valid for one year; effective September 1, 2007, a license issued or renewed on or after that date is valid for two years (Section 5, Chapter 809, Acts of the 80th Legislature, Regular Session, 2007).
- ⁶ A nursing facility includes a nursing home, a nursing facility, and a skilled nursing facility.
- ⁷ Number of nursing facility applications processed in FY 07 that involved any type of fee. Number of active licenses was not available as of the date this table was prepared.
- ⁸ The initial license issued to a license holder who has not previously held a license is a probationary license and is effective for one year. The fee for a probationary license is \$125 plus \$5 for each unit of capacity or bed space. Fee for an initial and renewal license is \$300 plus \$10 for each unit of capacity or bed space. Except for a probationary license, a license is valid for a two-year period. The department also assesses a fee for a change of ownership (\$300 plus \$10 per bed) and for a change of administrator (\$20).
- ⁹ Licenses previously were valid for one year; effective September 1, 2007, a license issued or renewed on or after that date is valid for two years (Sections 3 and 14, Chapter 809, Acts of the 80th Legislature, Regular Session, 2007).
- ¹⁰ Human Resources Code
- ¹¹ The year licensing of personal care homes as a separate type of facility began.
- ¹² Fee is based on \$100 for an initial and renewal license plus \$5 per bed.
- ¹³ Total number of active licenses reported by the Department of Assistive and Rehabilitative Services in FY 07.
- ¹⁴ Biennial renewal.
- ¹⁵ Facilities assessed a license fee in FY 07. Does not include state-run facilities that are not required to be licensed. The department reports 877 total active licenses as of October 2007.
- ¹⁶ Fee is based on \$150 for an initial and renewal license plus \$5 per bed.
- ¹⁷ Unless otherwise indicated, code chapter references are to the Agriculture Code.
- ¹⁸ In addition to the base fees, all applicants for organic certification must pay a one-time \$25 application fee.
- ¹⁹ Some types of distributors are exempt from certification requirements, though such businesses may choose to become certified.
- ²⁰ The \$400 fee applies to a distributor who acts as a broker or trader of organic products or who packs, grades, or sizes such products; the \$600 fee applies to a distributor who warehouses or stores organic products or to a textile converter who cuts and sews organic fiber products.
- ²¹ Producers whose gross sales receipts are less than \$5,000 per year are exempt from the certification requirement but must follow organic farming practices. Products from exempt operations may not be sold as organic ingredients to be used in organic processed products.
- ²² The fee amount is based on the size of the crop production area (in acres for large areas and in square feet for greenhouses, indoor production areas, nurseries, and small outdoor areas). For large areas, the fee amount also is based on how much land is in crop production at any time during the year and how much is not in crop production for the entire year. There is no maximum fee.
- ²³ The fee amount is based on the land area used to produce livestock with an additional fee for each type of livestock production. There is no maximum fee.
- ²⁴ The majority of retailers are exempt or excluded from National Organic Standards certification requirements. Retailers who process organic products in one store location and then sell those products in multiple store locations must be certified. Other retailers who sell organic products may choose to be certified to ensure that their stores comply with all organic handling requirements.
- ²⁵ A local governmental, state, or federal employee, or the supervisor or manager of such an employee, who certifies in writing that the activities for which the license is required will be performed solely for the entity for whom the employee works, may request a fee waiver.

- ²⁶ This license is valid for five years.
- ²⁷ From 1977 to 1989, private pesticide applicators were not required to be licensed but could be certified by the Texas Department of Agriculture on a voluntary basis. Private applicators who had been certified before January 10, 1989, under this voluntary program were grandfathered by the 1989 legislation and their certificates continue in effect. However, a private applicator must be recertified to purchase or use restricted-use or state-limited-use pesticides.
- ²⁸ This license is valid for two years.
- ²⁹ Occupations Code
- ³⁰ This certificate of authority is valid for two years.
- ³¹ This registration is valid for five years.
- ³² This license is valid for two years. A facility engaged in shrimp production also must pay an annual surcharge of \$8 per surface acre, collected biennially.
- ³³ The fee amount varies depending on the average weekly volume of cases packed at a facility.
- ³⁴ The fee amount varies depending on the average weekly volume of cases processed at a processing plant.
- ³⁵ The fee amount varies depending on the registrant's classification. Class 1 (\$75) includes businesses that sell, lease, or distribute, but do not grow nursery products or floral items, such as garden centers, grocery stores, landscape contractors, floral shops, interior decorators, and street vendors. Classes 2, 3, and 4 (\$110, \$145, and \$180) include permanently located businesses that sell, lease, or distribute nursery products or floral items, with class designations determined by the size of the business's growing area. Class M (\$180) includes businesses that sell, lease, or distribute nursery products or floral items at temporary markets such as flea markets, arts and crafts shows, plant or flower shows, or other temporary markets other than trade shows, garden shows, or other horticultural exhibits that are exempt from registration requirements.
- ³⁶ The 1909 statute required the annual inspection of nurseries and other growers and the certification of certain fruit trees. In 1959, those requirements were expanded to include the inspection of the florists and the certification of other nursery stocks and products and of potted plants, blooming plants, cut flowers and foliage, floral decorations, and live decorative material.
- ³⁷ The fee amount varies depending on the number of rose bushes graded in a calendar year.
- ³⁸ In addition, each applicant must pay \$250 for the Produce Recovery Fund.
- ³⁹ Natural Resources Code
- ⁴⁰ This certificate is valid for five years; its renewal is contingent upon annual proof of insurance.
- ⁴¹ If the warehouse has more than one location, the \$150 fee applies to the headquarters facility, and a \$100 fee is required for each additional facility location. In addition, each warehouse must pay an annual inspection fee of \$12 per 10,000 bushels or fraction thereof of the licensed storage capacity, or \$100, whichever is greater.
- ⁴² Code chapter references are to the Alcoholic Beverage Code.
- ⁴³ Unless noted otherwise, all fees include a surcharge that is used for the commission's operating costs.
- ⁴⁴ Fee varies depending on the number of establishments.
- ⁴⁵ The 1935 legislation that established many of the alcoholic beverage permits and licenses established separate permits for distillers and rectifiers; the two permits were combined into a single permit by the 68th Texas Legislature (Chapter 278, Acts of the 68th Legislature, Regular Session, 1983).
- ⁴⁶ There is no surcharge for this permit.
- ⁴⁷ Fraternal and veterans clubs were exempted from the private club permitting requirement established in 1961, but the provision for a certificate of exemption from such requirement was added in 1971.
- ⁴⁸ Fee varies by number of members (0 to 250 members is \$1,133, etc.) up to 1,000 members. For a private club with more than 1,000 members, the fee is \$3 per member. The surcharge for all permit holders is \$383.
- ⁴⁹ The higher fee is for the first renewal, and the lower fee is for the second renewal.
- ⁵⁰ This permit has no surcharge.
- ⁵¹ The 1935 legislation establishing the package store permit included a separate fee structure for permits to sell wine only. The specific and separate wine-only package store permit was established in 1949.
- ⁵² With the exception of the appraiser trainee authorization, which is renewed annually, all appraiser licenses and certificates are renewed biennially.

- ⁵³ The board cannot provide revenue amounts by each category of appraiser.
- ⁵⁴ Fee varies depending on whether the applicant is a resident or nonresident and whether certification is being obtained by examination or reciprocal agreement.
- ⁵⁵ The registration fee for landscape architects, interior designers, and architects seeking reciprocal registration and the renewal fee for all three professions includes a mandatory \$200 professional fee. The higher of the two amounts indicated is for nonresident renewals.
- ⁵⁶ The renewal fee is \$25 for a resident emeritus architect, interior designer, or landscape architect (\$183 for a nonresident), defined as a person who has been in that profession for at least 20 years and is at least 65 years of age.
- ⁵⁷ Government Code
- ⁵⁸ Unless noted otherwise, code chapter references are to the Finance Code.
- ⁵⁹ This category includes two types of licenses: a money transmission license and a currency exchange license.
- ⁶⁰ If the application is for a temporary money transmission license, the fee includes an additional \$1,500.
- ⁶¹ The renewal of a currency exchange license is \$500, and that of a money transmission license is \$1,500.
- ⁶² Chapter 151, Finance Code, was added by the 79th Texas Legislature (2005) to consolidate the regulation of money services businesses. Previously, businesses that issue and sell checks, money orders, and other payment instruments used to transfer money from one person to another were regulated by the Texas Sale of Checks Act, which was enacted in 1963 as Article 489d, Vernon's Texas Civil Statutes, and subsequently codified as Chapter 152, Finance Code. Businesses that receive currency or an instrument payable in currency for transmission, exchange, or transportation were regulated by Chapter 153, Finance Code, which originally was enacted in 1991 as Article 350, Vernon's Texas Civil Statutes.
- ⁶³ Health and Safety Code
- ⁶⁴ This annual fee is based on the cemetery corporation's fund balance as reflected on the most recent annual statement of funds report filed with the department; the holder also must pay an annual assessment of between \$200 and \$7,600, based on the fund balance, for the department's review and evaluation of the corporation's books and records.
- ⁶⁵ The annual permit renewal fee is based on the number of outstanding contracts as reflected on the most recent annual report the permit holder filed with the department; the holder also must pay an annual examination fee of between \$100 and \$7,600, based on the number of outstanding contracts, for the department's review and evaluation of the permit holder's books and records.
- ⁶⁶ Each applicant must pay a \$500 regulation fee plus a \$500 registration fee per location. This registration must be renewed every three years.
- ⁶⁷ Includes \$200 professional licensing fee required by statute.
- ⁶⁸ Includes revenue generated from \$200 professional licensing fee and revenue from licensing fees from chiropractic facilities and chiropractic radiological technicians.
- ⁶⁹ The registration requirement was implemented by board rule in 1996 under statutory authority granted to the board by Chapter 781, Acts of the 67th Legislature, Regular Session, 1981, which allowed the board to require evidence of proper training in the use of analytical and diagnostic X-rays, and Chapter 559, Acts of the 68th Legislature, Regular Session, 1983, which required the board to implement federal laws regarding the radiologic training of chiropractic employees.
- ⁷⁰ Code chapter references are to the Finance Code.
- ⁷¹ Chapter 345 applies to retailers generally; Chapter 347 applies to manufactured home dealers.
- ⁷² The \$10 fee applies to creditors governed by Chapter 345; the \$15 fee applies to creditors governed by Chapter 347. Both types of fees are per location.
- ⁷³ This fee is the initial investigation fee; in addition, the applicant must pay a \$45 fingerprint processing fee per individual fingerprinted and a \$25 registered office fee per registered office, which are locations in addition to the business's main location that originate, service, or collect on retail installment motor vehicle sales contracts. The registered office fee is also charged for each additional assumed name used at a single location.
- ⁷⁴ This fee is the initial investigation fee (\$250 if the application is for a new license or an existing license or if the application involves substantially identical principals and owners of a licensed pawnshop at a separate location). In addition, an applicant must pay a \$40 fingerprint processing fee and an operational assessment fee of \$430 for the first year's assessment.
- ⁷⁵ The annual renewal fee is a fixed fee of \$430 for an active license and \$125 for an inactive license. In addition, the holder of an active license must pay a volume fee based on lending activity with a minimum of \$430 and a maximum of \$1,000.
- ⁷⁶ This fee is the initial investigation fee; in addition, the applicant must pay a \$40 fingerprint processing fee.
- ⁷⁷ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.

- ⁷⁸ The 80th Texas Legislature designated two bill chapters as Chapter 351: House Bill 2138 requires the licensing of property tax lien lenders and House Bill 1344 requires the registration of refund anticipation loan facilitators. The chapter relating to property tax lien lenders will be redesignated a different chapter number in the next legislative session.
- ⁷⁹ This fee is the initial investigation fee. An applicant for a new license also must pay an assessment fee of \$430 per active license and \$125 per inactive license, which is refundable if the application is not approved. In addition, a licensee must pay an annual assessment fee of \$430 for an active license or \$125 for an inactive license. The holder of an active license also must pay a volume fee based on the type of lending activity conducted and the volume of business in the previous calendar year; the maximum annual assessment fee for each licensed entity cannot average more than \$1,000 per active licensed location.
- ⁸⁰ This fee is per location.
- ⁸¹ Code chapter references are to the Government Code.
- ⁸² Certificates are renewed biennially.
- ⁸³ Includes dentists licensed under Chapter 267, Occupations Code, as dentist faculty (94 licensees) and dental hygienist faculty (7 licensees). The fee for initial registration as either dentist faculty or dental hygienist faculty is \$75. The fee for annual license renewal as a dentist faculty is \$61 and for annual license renewal as a dental hygienist faculty is \$57. Faculty positions were first regulated in 2003.
- ⁸⁴ Initial and renewal fees include \$200 professional licensing fee required by statute.
- ⁸⁵ Includes initial application/examination and renewal fees.
- ⁸⁶ The initial registration requirement for dental assistants involved the certification of their qualification to perform radiographic procedures (positioning and exposing X-rays).
- ⁸⁷ Authority to operate a mobile dental facility or portable dental unit is derived by general rulemaking authority granted the board under Chapter 254, Occupations Code. See 22 T.A.C. §§108.40-108.43.
- ⁸⁸ Revenue includes early renewals for two facilities or units.
- ⁸⁹ Code chapter references are to the Education Code.
- ⁹⁰ Unless otherwise indicated, all certificates and registrations must be renewed every five years.
- ⁹¹ 19 T.A.C. §230.316, adopted in 1996, provided criteria for the certification of educational diagnosticians. Senate Bill 158, enacted by the 80th Texas Legislature (2007), requires such certification for an educational diagnostician employed on or after September 1, 2008.
- ⁹² Temporary certificates originally were temporary only in the sense that they were distinguished from permanent or lifetime certificates. The 1905 statute provided for a temporary city certificate valid for a period not to exceed four years and a temporary county certificate valid for one, three, or four years as well as permanent city and county certificates. A diploma from a Texas State Normal School or conferred by The University of Texas regents was regarded as a permanent state certificate, while certificates other than a diploma issued by those institutions were equivalent to two-, three-, four-, or six-year state certificates. While all certificates issued after September 1, 1999, are subject to renewal, temporary certificates now are issued only to educators from out of state who have not yet satisfied certain examination requirements; such certificates are valid for two years of employment, after which the holder must apply for a standard certificate.
- ⁹³ This certificate replaces the certificates for exchange teachers (19 T.A.C. §230.510) and teachers for bilingual education programs (19 T.A.C. §230.511), the requirements for which were adopted in 1996 and which authorized the granting of an emergency permit valid for one school year to a teacher participating in an officially recognized foreign exchange teacher program.
- ⁹⁴ This certificate must be renewed every three years.
- ⁹⁵ This amount includes a \$200 professional fee, from which the applicant may be exempt if the individual: (1) is at least 65 years of age; (2) is disabled and is limited in the ability to engage in the practice of engineering because of that disability, with certain exceptions; (3) is exempt from licensing requirements as an employee of a private corporation or other business entity engaged in certain activities under the corporation or entity's direct supervision and control or of certain utilities or affiliates but does not claim that exemption; or (4) is not practicing engineering and has claimed inactive status with the board.
- ⁹⁶ Effective January 1, 2008, this fee is \$150.
- ⁹⁷ Unless noted otherwise, code chapter references are to the Health and Safety Code.
- ⁹⁸ Unless noted otherwise, licenses and registrations are valid for two years. Effective January 1, 2008, all licenses and registrations are valid for three years. In addition, fees for two-year licenses are increased to reflect an additional year of validity, and all fees are increased by \$2 for each year the license is valid (for example, a fee of \$70 for a two-year license is increased to \$111 and fee of \$105 for a three-year license is increased to \$111).

- ⁹⁹ In addition to the provisions of the cited code chapters and administrative rules, the provisions of Chapter 37, Water Code, and 30 T.A.C. §30.1 et seq., set out licensing and registration requirements for certain businesses, occupations, and professions relating to the installation, maintenance, and repair of public and private water systems and facilities. An exemption is provided for an on-site sewage facility site evaluator who is a licensed engineer.
- ¹⁰⁰ A backflow prevention assembly prevents water from backing up into and contaminating a public water supply.
- ¹⁰¹ Occupations Code
- ¹⁰² Water Code
- ¹⁰³ An OSSF apprentice is defined as a licensing category in 30 T.A.C. §285.2 but not in statute. Section 366.071, Health and Safety Code, requires that a license or registration be issued by the commission under Chapter 37, Water Code, to “a person who constructs, installs, alters, extends, services, maintains, or repairs” an OSSF, which would apply to an apprentice performing such work under a licensed OSSF installer.
- ¹⁰⁴ Class A licensees are authorized to work on waterworks facilities. Class B and C licensees are authorized to work on surface water, groundwater, or water distribution facilities. Class D licensees are authorized to work on any water facility. Unlike the other license categories, an applicant for a Class D license is not required to have prior experience or education other than a high school diploma.
- ¹⁰⁵ The \$70 fee applies to a Class D license; before January 1, 2008, this license was valid for two years. As of January 1, 2008, the fee is \$111 and the license is valid for three years.
- ¹⁰⁶ The fee amount varies depending on the number of facilities the company serves.
- ¹⁰⁷ Effective January 1, 2008, the fee range is increased to \$122 to \$636 and the registration is valid for three years.
- ¹⁰⁸ Classes differ in the level of education, experience, and hours of training credit required.
- ¹⁰⁹ The \$70 fee applies to Class D and I licenses; before January 1, 2008, these licenses were valid for two years. As of January 1, 2008, the fee is \$111 and the licenses are valid for three years.
- ¹¹⁰ Redesignated from Subchapter G, Chapter 341, Health and Safety Code (House Bill 3017, 80th Texas Legislature (2007)).
- ¹¹¹ Unless otherwise indicated, code references are to the Human Resources Code.
- ¹¹² With the exception of child-care administrator and child-placing agency administrator licenses, all of these authorizations are nonexpiring, which means that a licensee is not required to submit an application for renewal each year. However, the licensee must pay an annual fee, and if payment is not received by the license’s anniversary date, the Department of Family and Protective Services (DFPS) may suspend the license. If payment is not received within three months after the anniversary date, DFPS may revoke the license.
- ¹¹³ Each initial applicant also must pay a \$25 examination fee.
- ¹¹⁴ Each initial applicant must pay a nonrefundable application or request processing fee of \$35; thereafter, an annual fee of \$35 must be paid on the anniversary date of the initial registration.
- ¹¹⁵ Each applicant also must pay a capacity fee of \$1 for each child the facility is permitted to serve. This fee is due on the date on which DFPS issues the facility’s initial license and on the anniversary of that date.
- ¹¹⁶ When paying the annual fee, each applicant also must pay a \$2 background check fee for each person employed by the facility.
- ¹¹⁷ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ¹¹⁸ An initial application or request for a listing requires payment of a \$20 processing fee; once approved, the caregiver must pay a \$20 annual list fee due on the anniversary date of the initial listing.
- ¹¹⁹ Health and Safety Code
- ¹²⁰ Each applicant also must pay a capacity fee of \$2 per person for the number of persons for which the maternity home is or will be licensed.
- ¹²¹ Code chapter references are to the Government Code.
- ¹²² Volunteer firefighters also must be certified.
- ¹²³ Individual licenses are valid for a two-year period.
- ¹²⁴ Includes provisional licensees and embalmers. Section 651.301, Occupations Code, requires a person to obtain a provisional license before engaging in learning the practice of funeral directing or embalming under the direction and direct supervision of a licensed funeral director or embalmer.

- ¹²⁵ Includes provisional licenses.
- ¹²⁶ Establishment licenses are valid for one year.
- ¹²⁷ Includes all establishments.
- ¹²⁸ Section 651.352, Occupations Code, specifically prohibits a commercial embalmers establishment from selling “services or merchandise directly or at retail to the public”
- ¹²⁹ Section 651.353, Occupations Code, exempts from application of the section: “(1) a family, fraternal, or community cemetery that is not larger than 10 acres; (2) an unincorporated association of plot owners not operated for profit; (3) a church, a religious society or denomination, or an entity solely administering the temporalities of a church or religious society or denomination; or (4) a public cemetery owned by this state, a county, or a municipality.”
- ¹³⁰ The licensing requirements for cemeteries and crematories superseded a previous registration requirement that was included in the 1999 codification of various professional licensing and regulation statutes.
- ¹³¹ Section 1002.351, Occupations Code, added in 2003, authorizes the board to adopt rules that require the registration of a firm or corporation wishing to engage in the public practice of geoscience. The board adopted such a rule in March 2006 with an effective date of September 1, 2006.
- ¹³² Except for code chapter references in the regulation of Health-related Professions and of Practices and Trades Related to Water, Health, and Safety, all other code chapter references to this agency’s regulatory authority are to the Health and Safety Code.
- ¹³³ Code chapter references are to the Occupations Code.
- ¹³⁴ License is valid for a term of two years.
- ¹³⁵ License renewals are valid for a term of two years.
- ¹³⁶ Dual registration authorizes holder to dispense both spectacles and contact lenses.
- ¹³⁷ An optician’s certificate of registration is valid for a period of one year or two years. The \$50 fee applies to an initial registration or renewal period of one year; the \$100 fee applies to an initial registration or renewal period of two years. The fee for an initial or renewal dual registration for one year is \$80 and for two years is \$160.
- ¹³⁸ Dual license fees as a speech-language pathologist and audiologist are determined separately.
- ¹³⁹ The lower fee is for a one-year license, and the higher fee is for a two-year license.
- ¹⁴⁰ Fee for a provisional license.
- ¹⁴¹ Fee for a temporary certificate of registration to entitle an applicant approved for examination to practice speech-language pathology or audiology under supervision of an approved speech-language pathologist or audiologist for a period of time ending eight weeks after the next scheduled examination.
- ¹⁴² Fee for a license issued or renewed for a term of one year, a temporary training permit, and an apprentice permit.
- ¹⁴³ Fee for a license issued or renewed for a term of two years.
- ¹⁴⁴ An athlete is a person who participates in an organized sport or sport-related exercise or activity, including interscholastic, intercollegiate, intramural, semiprofessional, and professional sports activities.
- ¹⁴⁵ Licenses can be renewed for a term of one year or two years.
- ¹⁴⁶ Licenses can be renewed for a term of one year or two years.
- ¹⁴⁷ Licenses are valid for a term of two years.
- ¹⁴⁸ Licenses are valid for a term of two years.
- ¹⁴⁹ Licenses are valid for a term of two years.
- ¹⁵⁰ An additional fee of \$20 biennially applies for specialty recognition (Advanced Practitioner or Independent Practice).
- ¹⁵¹ Section 601.102, Occupations Code, authorizes the Texas Board of Health to issue a general certificate to perform radiologic procedures or a limited certificate that authorizes a person to perform radiologic procedures only on specific parts of the human body.
- ¹⁵² Reported schedule of fees includes general to limited certificate conversion fee, temporary certificate fees, and site visit fees.
- ¹⁵³ License renewal is valid for a term of two years.
- ¹⁵⁴ A fee of \$50 applies for each additional specialty on initial application. A fee of \$75 applies for additional specialties on subsequent applications.
- ¹⁵⁵ Fee applies to first specialty. A fee of \$50 applies for each additional specialty attached to license. License renewals are valid for a term of two years.

- ¹⁵⁶ Licenses can be renewed for a term of one year or two years.
- ¹⁵⁷ License renewal is valid for a term of two years.
- ¹⁵⁸ License is valid for a term of two years.
- ¹⁵⁹ Provisional license renewal is valid for a term of one year.
- ¹⁶⁰ There is no renewal for a temporary license.
- ¹⁶¹ Fee is \$39 per bed based on the designed bed capacity of the facility.
- ¹⁶² Chapter 42, Acts of the 37th Legislature, Regular Session, 1921, provided for the establishment and maintenance of hospitals in “counties and cities of over ten thousand inhabitants.” Chapter 76, Acts of the 37th Legislature, Regular Session, 1921, required an annual license for “maternity homes” or other places for “the reception, care and treatment of pregnant women.” The Texas Hospital Licensing Law (Chapter 223, Acts of the 56th Legislature, Regular Session, 1959) first prohibited a person or governmental unit to “establish, conduct, or maintain a hospital without a license.”
- ¹⁶³ License is valid for a term of two years.
- ¹⁶⁴ Fee also applies to a change of ownership or relocation.
- ¹⁶⁵ Fee also applies to a change of ownership.
- ¹⁶⁶ Chapter 76, Acts of the 37th Legislature, Regular Session, 1921, required annual licenses for the conduct or management of “an institution or home for the boarding or sheltering of infant children, . . . or any lying-in hospital, hospital ward, maternity home or other place for the reception, care and treatment of pregnant women . . .” Birthing centers as they are currently considered were first regulated in 1985.
- ¹⁶⁷ Fee also applies to a change of ownership.
- ¹⁶⁸ Fee is \$35 per bed per 12 months based on the designed bed capacity of the facility. Total fee may not be less than \$300 or more than \$2,500.
- ¹⁶⁹ Fee varies depending on the number of dialysis stations at the facility. All licenses are valid for a term of two years.
- ¹⁷⁰ Fee is based on \$1,200 for initial and renewal license, \$125 for each outpatient or residential site located at a separate physical address, and \$35 per bed.
- ¹⁷¹ Chapter 553, Acts of the 65th Legislature, Regular Session, 1977, required a license to operate an “alcohol treatment facility that treats alcoholics or alcohol and drug dependent persons.”
- ¹⁷² Fee is based on \$1,000 for initial permit plus a \$60 patient fee for each patient the program is approved to treat. Patient fee certificates are valid for a term of two years. An additional \$150 fee applies for each medication unit, a separate facility permitted for administration and dispensation of a narcotic drug and authorized for collection of samples for drug testing.
- ¹⁷³ Fee is \$100 per bed per 12 months based upon the designed bed capacity. Total fee may not be less than \$3,000 per 12 months.
- ¹⁷⁴ License renewal fee is \$50 for a day youth camp operating fewer than 10 days per year and \$150 for a day youth camp operating 10 days or more per year.
- ¹⁷⁵ License renewal fee is \$100 for a day youth camp operating fewer than 10 days per year and \$450 for a day youth camp operating 10 days or more per year.
- ¹⁷⁶ Fee depends on gross annual sales. Licenses are available for a term of one or two years.
- ¹⁷⁷ A separate license is required for each tanning facility.
- ¹⁷⁸ Licenses are available for a term of one or two years.
- ¹⁷⁹ Fees are dependent on temporary or permanent location of studio and whether business is operated as a tattoo only studio or a tattoo and body piercing studio.
- ¹⁸⁰ Fees are dependent on temporary or permanent location of studio and whether business is operated as a body piercing only studio or a tattoo and body piercing studio.
- ¹⁸¹ Bedding permits are valid for a term of two years.
- ¹⁸² Fee varies depending on the number of articles the manufacturer is requesting authorization to ship during the term of the permit. The fee for authorization to ship more than 100,000 articles is \$1,320 plus \$.03 for each article.
- ¹⁸³ Fee varies according to the same schedule as the fee for a mattress manufacturer permit.
- ¹⁸⁴ Fee varies depending on the number of articles the manufacturer is requesting authorization to ship during the term of the permit. The fee for authorization to ship more than 200,000 articles is \$1,320 plus \$.01 for each article.
- ¹⁸⁵ Fee varies according to the same schedule as the fee for a bedding product manufacturer permit.

- ¹⁸⁶ Fee varies according to the same schedule as the fee for a bedding product manufacturer permit.
- ¹⁸⁷ License and registration renewals are for terms of 7-10 years, except for industrial radiographer certifications, which are renewed for a term of five years.
- ¹⁸⁸ Includes 16,500 registrations, 1,600 specific licenses, 2,000 general license acknowledgements, and 1,500 industrial radiographer certifications.
- ¹⁸⁹ Licenses are available for a term of two years.
- ¹⁹⁰ Radioactive materials and X-ray first regulated.
- ¹⁹¹ There is currently one license issued for by-product material mineral recovery.
- ¹⁹² Includes low dose-rate and high dose-rate remote afterloaders and intravenous brachytherapy.
- ¹⁹³ Mammography systems are certified with the Department of State Health Services. While the operation of the system is not specifically licensed, a mammography system cannot be operated without being certified. Certain mammography systems are certified for use at an accredited, stand-alone mammography facility while others are certified for use at otherwise licensed health care facilities.
- ¹⁹⁴ Fees for a food manufacturer and food wholesaler are based on gross annual manufactured sales. Fees are assessed for an initial license, amendments to a license due to a change in ownership, and amendments to a license during a licensure period due to minor changes in business operations. Licenses are valid for a two-year period.
- ¹⁹⁵ A food wholesaler that distributes food only to be stored in a warehouse is not required to obtain a license, but is required to register with the department and pay a registration fee of \$100.
- ¹⁹⁶ Fees for a food warehouse operator are based on the maximum amount of square feet dedicated to food storage during the licensing period. Licenses are valid for a two-year period.
- ¹⁹⁷ All manufacturer and distributor licenses are valid for a two-year period.
- ¹⁹⁸ All manufacturer and distributor license fees are based on gross annual device or drug sales or combined gross annual sales, as applicable.
- ¹⁹⁹ Fee is \$600 for a one-year license and \$1,200 for a two-year license.
- ²⁰⁰ Licenses are valid for a term of two years. The Department of State Health Services also assesses an inspection fee of \$.045 for each 100 pounds of milk or milk products processed and distributed in the state by a processing or bottling plant in the state, or processed by an out-of-state processing or bottling plant and sold in the state, and a fee for the actual cost of analyzing samples for an out-of-state processing or bottling plant.
- ²⁰¹ Section 436.103, Health and Safety Code, requires the first certified shellfish dealer who harvests, purchases, handles, stores, packs, labels, unloads at dockside, or holds oysters taken from the water of this state to pay a fee of \$1 for each barrel of oysters harvested, purchased, handled, or processed by the certified shellfish dealer. For purposes of assessing the fee, three 100-pound containers of oysters are the equivalent of one barrel of oysters.
- ²⁰² Permits are valid for a term of two years.
- ²⁰³ Permits are also issued for child-care centers providing food service. The fee is \$250.
- ²⁰⁴ Fee is based on gross annual volume of food sales.
- ²⁰⁵ The Department of State Health Services sells food manager certification examinations to examination administration sites for a fee of \$10 per examination. The permit fee to administer the examination is based on the number of sites at which the certified food manager licensee administers the examination: one site, the fee is \$400; two to 10 sites, the fee is \$1,000; or over 10 sites, the fee is \$2,000. Examination administration sites are not required to provide a training program. The fee to take the examination to become a certified food manager is \$10. The data includes all three fees.
- ²⁰⁶ Certificate is valid for a term of two years. Fee is required for each food manager certification program or food manager recertification program.
- ²⁰⁷ The department also assesses a fee of \$.015 per 100 pounds of manufactured or processed frozen dessert manufactured by manufacturers located in the state and by manufacturers in another state and imported for sale in the state or \$5 per month, whichever is greater. The department is also required to assess a fee for the actual cost of analyzing samples of frozen desserts for a manufacturer not located in the state. The data includes these fees.
- ²⁰⁸ Certification is valid for a term of two years.
- ²⁰⁹ Permit is valid for a term of two years.
- ²¹⁰ Chapter 753, Acts of the 70th Legislature, Regular Session, 1987, required a permit for the retail sale of glue and paint. The requirement was amended in 1989 to apply to the sale of abusable glue and aerosol paint and amended again in 2001 to apply to any abusable volatile chemical.

- ²¹¹ Section 501.024(g), Health and Safety Code, exempts application of the registration requirement for a retailer who distributes a hazardous substance to the public unless the retailer distributes a hazardous substance made to its specifications.
- ²¹² Registration is valid for a term of two years.
- ²¹³ Additional certifications are available for emergency medical services (EMS) personnel to become an EMS information operator (\$60), an EMS information operator instructor (\$60), an EMS instructor (\$30), and an EMS training course coordinator (\$60). It is unclear if these additional fees are included in the total revenue data provided by the Department of State Health Services.
- ²¹⁴ Fee is \$500 per provider plus \$180 for each emergency medical services vehicle to be operated under the license.
- ²¹⁵ Section 781.151, Health and Safety Code, requires certain individuals employed as an alarm systems company, alarm systems installer, manager or branch office manager, or security salesperson to register with the Department of State Health Services. In addition, the section requires an owner, officer, partner, or shareholder who is responsible for managing the business of a personal emergency response system provider license holder to register with the department.
- ²¹⁶ The training requirement was enacted by Chapter 677, Acts of the 67th Legislature, Regular Session, 1981, but certification of trained personnel was added by Chapter 1331, Acts of the 80th Legislature, Regular Session, 2007, and became effective September 1, 2007.
- ²¹⁷ Code chapter references are to the Occupations Code.
- ²¹⁸ Registration is available for a term of one year (\$50 fee) or two years (\$100 fee). Initial registration fee includes application fee.
- ²¹⁹ Chapter 1953, Occupations Code, provides for the issuance of certificates of registration for a sanitarian, professional sanitarian, and sanitarian-in-training.
- ²²⁰ Fee for an initial registration as sanitarian-in-training is \$125. Initial registration fee includes application fee.
- ²²¹ Fee for a renewal registration as sanitarian-in-training is \$150; the sanitarian-in-training registration is limited to a one-time renewal. Registration renewals are valid for a term of two years.
- ²²² All asbestos abatement registrations and licenses are effective for two years.
- ²²³ Any housing constructed before 1978, except housing for the elderly or persons with disabilities (unless any child who is six years of age or younger resides or is expected to reside in such housing) or any zero-bedroom dwelling. The term includes a residential dwelling, multi-family dwelling, and unit.
- ²²⁴ All lead abatement certifications are effective for two years.
- ²²⁵ Up until and including fiscal year 2007, license fees were for one-year licenses, with the exception of the salesperson's license, which was valid for two years. According to rule changes effective December 30, 2007, all license fees will be paid biennially, with the current fee amounts for one-year licenses doubled to reflect this change. In addition, a category was added for a retailer's branch location sales license.
- ²²⁶ Unless noted otherwise, code chapter references are to the Insurance Code.
- ²²⁷ House Bill 2636, a nonsubstantive revision of the revised Insurance Code enacted by the 80th Texas Legislature (2007), transfers Article 5.43-2, Vernon's Texas Civil Statutes, to Chapter 6002, Insurance Code, effective April 1, 2009.
- ²²⁸ All initial licenses and registrations for fire detection and alarm device installation are valid for one year; renewal licenses and registrations are valid for two years, except the residential fire alarm technician license, which is valid for one year.
- ²²⁹ This category was added by the 80th Texas Legislature (2007); therefore, there are no active licenses and no revenue for FY 07.
- ²³⁰ The provision creating this new license category was not included in the nonsubstantive revision of the revised Insurance Code (House Bill 2636) that transferred Article 5.43-2, Vernon's Texas Civil Statutes, to Chapter 6002, Insurance Code.
- ²³¹ House Bill 2636, a nonsubstantive revision of the revised Insurance Code enacted by the 80th Texas Legislature (2007), transfers Article 5.43-1, Vernon's Texas Civil Statutes, to Chapter 6001, Insurance Code, effective April 1, 2009.
- ²³² All initial licenses and registrations for fire extinguisher service and installation are valid for one year; renewals are valid for two years, except the fire extinguisher apprentice permit, which may not be renewed.
- ²³³ This is a one-year permit; when it expires, the holder can apply for subsequent one-year permits. The permit is not renewable in that the department does not send the holder a renewal application; there are no late fees imposed for a subsequent permit applied for after the expiration date; and the permit number of an expired permit becomes void.
- ²³⁴ House Bill 2636, a nonsubstantive revision of the revised Insurance Code enacted by the 80th Texas Legislature (2007), transfers Article 5.43-3, Vernon's Texas Civil Statutes, to Chapter 6003, Insurance Code, effective April 1, 2009.

- ²³⁵ All initial licenses and registrations for fire protection sprinkler system service and installation are valid for one year; renewals are valid for two years.
- ²³⁶ Each applicant also must pay a \$50 initial application fee.
- ²³⁷ Occupations Code
- ²³⁸ Section 2154.001, Occupations Code, defines “Fireworks 1.3G” as a large fireworks device primarily designed to produce visible or audible effects by combustion, deflagration, or detonation. “Fireworks 1.4G” is defined as a small fireworks device primarily designed to produce visible or audible effects by combustion, deflagration, or detonation, and that complies with the construction, labeling, and chemical composition requirements of the U.S. Consumer Product Safety Commission. These fireworks are classified as a “1.3G explosive” and “1.4G explosive,” respectively, by the department in 49 C.F.R. Part 173 (1996).
- ²³⁹ This permit is valid for one year from the date of issuance and is not renewable.
- ²⁴⁰ Each applicant also must pay, on issuance or renewal of the license, a \$250 fee to fund the department’s fireworks safety and education program.
- ²⁴¹ Section 2154.253, Occupations Code, defines “flame effects” as a stationary or hand-held device of solid, liquid, or gas, designed specifically to produce an open flame when ignited to display a thermal, physical, visual, or audible phenomenon as defined by NFPA standards. Such devices include paraffin wax candles, liquefied petroleum gas (LPG) candles, torches, and LPG burners.
- ²⁴² Each initial applicant also must pay a \$20 examination fee.
- ²⁴³ This permit expires on January 31 of each year and is not renewable. An outdated permit may be exchanged for a current permit only in the year following the permit’s expiration.
- ²⁴⁴ Each applicant also must pay a \$10 fee to fund the department’s fireworks safety and education program.
- ²⁴⁵ Most insurance agent licenses and a license for a life insurance counselor, managing general agent, public insurance adjuster, or reinsurance intermediary broker or manager may be issued to either an individual or an insurance agency. The authority granted to individual and agency license holders is identical; however, an applicant for an agency license must meet certain additional requirements, including providing copies of its articles of incorporation filed with the secretary of state and certification of franchise tax account status with the Texas Comptroller of Public Accounts.
- ²⁴⁶ Unless noted otherwise, licenses are valid for two years.
- ²⁴⁷ Section 4004.101 et seq., Insurance Code, and 28 T.A.C. §19.1001 et seq. set out registration requirements for a continuing education course provider for insurance licensees. 28 T.A.C. §19.1001 et seq. also provides registration requirements for preclicensing education course providers for insurance adjusters. The statutory provision was enacted in 2001; a rule change adopted in 2003 extended the requirements to include preclicensing education course providers.
- ²⁴⁸ The renewal fee includes a \$3 subscription fee for online renewal of the license through the TexasOnline website that the Department of Information Resources charges the Texas Department of Insurance (TDI) for costs related to the website’s operation. These subscription fees are not included in TDI’s revenue from fees for FY 07 for this license.
- ²⁴⁹ This certificate is valid for one year.
- ²⁵⁰ This license is valid until December 31 of the year after its issuance. The \$200 initial fee applies to a license issued between January 1 and June 30; the \$100 initial fee applies to a license issued between July 1 and December 31. A \$200 license fee is required for each additional location. In addition, each initial applicant must pay a \$400 investigation fee.
- ²⁵¹ The 1941 law established licensing requirements for a “solicitor,” defined as a person who solicits insurance on behalf of a “local recording agent,” the former term for “insurance agent.” According to these provisions, a solicitor works for and offices with a local recording agent but is not authorized to sign and execute insurance policies. With the enactment of Senate Bill 414 in 2001, “solicitor” was renamed “insurance service representative.”
- ²⁵² This certificate of authority is valid for three years.
- ²⁵³ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ²⁵⁴ Section 4052.001, Insurance Code, provides that requirements for this license apply to a person who in any public manner uses the title “insurance adviser,” “insurance analyst,” “insurance counselor,” “insurance specialist,” “policyholders’ adviser,” “policyholders’ counselor,” or any other similar title, or uses any other title indicating that the person gives or is engaged in the business of giving advice or other information to an insured, a beneficiary, or any other person having an interest in a life, accident, or health insurance policy, a health benefit plan, or an annuity or pure endowment contract.
- ²⁵⁵ Section 1111.001, Insurance Code, defines “life settlement” as an agreement under which a person pays anything of value that is less than the expected death benefit of a policy insuring the life of an individual who does not have a catastrophic or life-threatening illness or condition and is paid in return for the policy owner’s or certificate holder’s

assignment, transfer, bequest, devise, or sale of the death benefit under or ownership of the policy. A “viatical settlement” is based on a similar agreement except that it relates to a policy insuring the life of an individual who has a catastrophic or life-threatening illness or condition. A “life settlor” is the insured under the policy transferred in a life settlement, and a “viator” is the insured under the policy transferred in a viatical settlement.

- ²⁵⁶ The 1995 provision required the registration of “a person engaged in the business of viatical settlements”; subsequent rules provided for the registration of viatical settlement companies and brokers. In 1999, the 76th Texas Legislature expanded the registration requirements to include persons engaged in the business of life settlements, and the rules were amended to reflect that amendment. In 2001, a rule change expanded the registration requirements to include provider representatives and changed “companies” to “providers.”
- ²⁵⁷ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ²⁵⁸ The certificate expires on the 180th day after the date of issuance and may be renewed once on application to the insurance commissioner. An individual may not hold more than two consecutive temporary certificates.
- ²⁵⁹ Attorney’s title insurance is issued only in connection with and as part of a real property transaction and a title opinion of a title attorney.
- ²⁶⁰ This license is valid for one year.
- ²⁶¹ According to *The Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas*, an abstract plant, which is used as the basis for issuance of title insurance policies in Texas, consists of fully indexed records showing all instruments of record affecting lands within the county for a period of at least 25 years immediately before the date of search. The indices pertaining to land must be arranged in geographic order (i.e., by lot and block for subdivided lands and by survey or section number for acreage tracts). Miscellaneous alphabetical indices must be maintained according to name.
- ²⁶² This number represents active licenses as of March 2008. Of that total, 97 are new and renewal licenses issued in FY 07 and 100 are licenses that were active in FY 07 and eligible for renewal in FY 08 and new licenses issued between September 2007 and March 2008; the department cannot extract from its data the exact number of FY 08 renewal licenses.
- ²⁶³ This fee includes a \$125 application fee (\$150 if the applicant is retaking a failed examination) and a \$150 examination fee.
- ²⁶⁴ This fee includes a \$167 registration fee (\$40 for an applicant with inactive status) and a \$200 professional fee, which is prorated for applicants who register after the first quarter of the year. Inactive surveyors and state employees are exempt from paying the professional fee. For active non-exempt applicants renewing as both a registered professional land surveyor and a licensed state land surveyor, the total fee is \$409.
- ²⁶⁵ The 1979 statute referred to a “public surveyor.” The term was replaced with “professional land surveyor” in 1989.
- ²⁶⁶ Section 1071.352, Occupations Code, which requires a firm registration, was enacted by the 80th Texas Legislature (House Bill 2820). The board amended 22 T.A.C. §661.55 and added 22 T.A.C. §§661.56 and 661.57. The amended and new provisions became effective November 4, 2007, with firm registrations required beginning January 1, 2008.
- ²⁶⁷ This fee is per location.
- ²⁶⁸ This fee was increased to \$1,000 effective September 1, 2007.
- ²⁶⁹ This is a five-year license; there is no fee for renewal.
- ²⁷⁰ No new licenses were issued in FY 07, and there is no fee for renewal, so there was no fee revenue in FY 07.
- ²⁷¹ Before March 1, 2008, a contract was valid for a period of time stated in the contract, or two years, whichever is less. Effective March 1, 2008, the two-year maximum was increased to five years. Regardless of the validity period, the contract may be terminated within 10 days by written notice on the part of either party to the contract.
- ²⁷² In September 2007, the Texas Commission of Licensing and Regulation (TCLR) voted to reduce the original fee to \$115 and the renewal fee to \$65. These changes will take effect in 2008.
- ²⁷³ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ²⁷⁴ Each applicant also must submit an initial fee of \$100 to the auctioneer education and recovery fund; the amount of the fee for this fund on a subsequent renewal application will be determined annually by the department and reflected in the renewal notices sent by the department.
- ²⁷⁵ This fee upgrades an associate auctioneer license to an auctioneer license.
- ²⁷⁶ All barbering licenses are valid for two years, except a barber school permit and an examination proctor registration, which are valid for one year.
- ²⁷⁷ The 1929 statute regulating barbers established certain curriculum requirements for state approval of a barber school but did not expressly require a permit; the 1930 amendments to the barber laws established this requirement.

- ²⁷⁸ This fee includes a \$10 newsletter fee to cover the costs to the Texas Department of Licensing and Regulation (TDLR) for publishing and distributing an annual newsletter that contains information relating to the state’s barbering occupations, including statute and rule changes. Revenue from newsletter fees is not included in the revenue collected for licensing fees for FY 07.
- ²⁷⁹ In September 2007, the TCLR voted to reduce this fee to \$70; the change will take effect in 2008.
- ²⁸⁰ The applicant must obtain this authorization from a licensed barber school and may provide the authorized services only at a licensed barbering establishment or a facility that holds a dual barber and beauty shop license. See the “Cosmetology Licenses” section for a similar category that applies only to the practice of cosmetology.
- ²⁸¹ This permit originally applied to a manicurist specialty shop or a wig specialty shop. In 2007, the definition of “specialty shop” was amended to include establishments that specialize in hair braiding or weaving.
- ²⁸² This fee includes a \$10 fee for a book of Texas laws and rules relating to barbering, which is published by TDLR. Revenue from the book fee is not included in the revenue collected for licensing fees in FY 07. There is no charge for renewal of a student permit.
- ²⁸³ Although Texas statutes and rules provide for the registration of examination proctors by TDLR, under current practice such proctors are employees of a private company under contract with the agency. The current contract expires in 2008; if it is not renewed, state registration of examination proctors may be necessary.
- ²⁸⁴ Hair weaving was included in the definition of barbering in 1975, but certification in that specialty was not available until 2007.
- ²⁸⁵ Section 2052.002(4), Occupations Code, defines combative sports as those sports, including boxing, kickboxing, martial arts, and mixed martial arts, in which participants voluntarily engage in full contact to score points, to cause an opponent to submit, or to disable an opponent in a contest, match, or exhibition. The term does not include student training or exhibitions of students’ skills conducted by martial arts schools, or associations of schools, where the students’ participation is for health and recreational purposes rather than competition and where the intent is to use only partial contact.
- ²⁸⁶ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ²⁸⁷ In September 2007, the TCLR voted to reduce this fee to \$20; the change will take effect in 2008.
- ²⁸⁸ Section 1602.002, Occupations Code, defines “cosmetology” as the practice of performing or offering to perform for compensation services relating to the treatment of a person’s hair by certain methods (including arranging, coloring, cutting, dyeing, shampooing, straightening, and waving) or providing a necessary service preparatory or ancillary to such a service; weaving or braiding; and shampooing and conditioning. The term also includes servicing a person’s wig or artificial hairpiece; treating a person’s mustache or beard using certain methods; cleansing, stimulating, or massaging a person’s scalp, face, neck, or arms, or beautifying those areas using a cosmetic or other preparation or appliance; administering facial treatments; removing superfluous hair from a person’s body using depilatories or mechanical tweezers; treating a person’s nails using certain methods; or massaging, cleansing, treating, or beautifying a person’s hands or feet.
- ²⁸⁹ All cosmetology licenses are valid for two years, with the exception of an examination proctor registration, a private beauty culture school license, and a public secondary or postsecondary beauty culture school certificate, which are valid for one year.
- ²⁹⁰ The applicant must obtain this authorization from a licensed cosmetology school or program and may provide the authorized services only at a licensed cosmetology establishment or a facility that holds a dual barber and beauty shop license. See the “Barbering Licenses” section for a similar category that applies only to the practice of barbering.
- ²⁹¹ The 1935 provision required an individual wishing to work as a manicurist in a licensed beauty shop to register with what was then the State Board of Hairdressers and Cosmetologists. A manicurist license was created in 1947; it was renamed a manicurist specialty license in 2007.
- ²⁹² Each applicant also must pay a \$200 initial inspection fee; the inspection is conducted by TDLR prior to the operation of the school.
- ²⁹³ There is no fee for renewing a student permit.
- ²⁹⁴ In September 2007, the TCLR voted to reduce this fee to \$115; the change will take effect in 2008.
- ²⁹⁵ In September 2007, the TCLR voted to reduce this fee to \$35; the change will take effect in 2008.
- ²⁹⁶ In September 2007, the TCLR voted to reduce this fee to \$50; the change will take effect in 2008.
- ²⁹⁷ This license was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ²⁹⁸ Code chapter references are to the Health and Safety Code.
- ²⁹⁹ In September 2007, the TCLR voted to reduce this fee to \$115; the change will take effect in 2008.
- ³⁰⁰ The ASME QEI accreditation program is designed for organizations that certify elevator inspectors and inspector supervisors in accordance with the ASME QEI-1 standard. An inspector certified by an accredited organization is qualified to inspect elevators, escalators, and related equipment in accordance with the ASME A17.1 Elevator Code.

- ³⁰¹ In September 2007, the TCLR voted to reduce this fee to \$50; the change will take effect in 2008.
- ³⁰² Labor Code
- ³⁰³ This fee varies depending on the number of employees assigned or leased, except the fee for a limited license is a flat \$750. In addition, each applicant must pay a \$150 application fee.
- ³⁰⁴ Section 92.002, Labor Code, defines a common worker as an individual who performs labor involving physical tasks that do not require a particular skill; training in a particular occupation, craft, or trade; or practical knowledge of the principles or processes of an art, science, craft, or trade.
- ³⁰⁵ In September 2007, the TCLR voted to reduce this fee to \$150; the change will take effect in 2008.
- ³⁰⁶ Section 1202.002, Occupations Code, defines industrialized housing as a residential structure designed for the occupancy of one or more families that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, and designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.
- ³⁰⁷ Section 1202.003, Occupations Code, defines an industrialized building as a commercial structure constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site, and designed to be used as a commercial building when the module or the modular component is transported to the commercial site and erected or installed.
- ³⁰⁸ Government Code
- ³⁰⁹ Each initial applicant also must pay a \$100 written examination fee and a \$300 oral examination fee.
- ³¹⁰ Section 953.001, Occupations Code, defines a “legal service contract” as an agreement entered into for a separately stated consideration and under which the company obtains legal services for the contract holder through a contracting attorney.
- ³¹¹ This fee varies depending on the number of legal service contracts the company sells during the 12 months preceding the date of the registration application. In addition, by March 1 of each year, the company also must pay an annual premium tax replacement fee. This fee is equal to the difference between an amount equal to 1.7 percent of the amount the company collects for legal service contracts the company sold in Texas in the previous year and the amount the company paid to the state in franchise taxes in the same year.
- ³¹² Section 1152.001, Occupations Code, defines property tax consulting services as preparing for another person a rendition statement or property report; representing another person in a taxpayer protest against a local appraisal review board; consulting or advising another person concerning the preparation of such a statement or report or in such a protest; negotiating or entering into an agreement with an appraisal district on behalf of another person concerning an action that is or may be the subject of such a protest; or acting as the designated agent of a property owner.
- ³¹³ An initial certificate of registration is valid for a one-year term; a certificate of renewal of registration is valid for a two-year term.
- ³¹⁴ The fee includes a \$200 professional fee.
- ³¹⁵ Each applicant also must pay a \$150 examination fee to upgrade from a property tax consultant registration to a senior property tax consultant registration.
- ³¹⁶ Section 1304.003, Occupations Code, defines a service contract as an agreement entered into for a separately stated consideration and for a specified term, under which the provider agrees to repair, replace, or maintain a product for operational or structural failure or damage caused by a defect in materials or workmanship or by normal wear. A service contract also may provide incidental payment or indemnity under limited circumstances, including towing, rental, and emergency road service, or the repair or replacement of a product for damage resulting from a power surge or for accidental damage incurred in handling the product.
- ³¹⁷ The registration fee is based on the number of service contracts sold in Texas during the previous 12-month period.
- ³¹⁸ House Bill 2094, enacted by the 80th Texas Legislature (2007), transferred regulation of tow trucks and vehicle storage facilities from the Texas Department of Transportation (TxDOT) to TDLR and TCLR, effective January 1, 2008. Before the bill’s passage, tow truck companies were required to be registered and vehicle storage facilities were required to be licensed; license requirements for tow truck operators and vehicle storage facility employees were newly created and therefore have no active licenses or fee revenue for FY 07.
- ³¹⁹ In FY 07, TxDOT required tow truck companies to register as motor carriers, so the number of active licenses and the fee revenue presented here also are included under the “motor carrier registration” category in the TxDOT portion of this table.
- ³²⁰ Under provisions of House Bill 2094, this category is changed to a towing company license.
- ³²¹ In FY 07, each registrant also was required to pay a \$100 liability insurance fee when applying for the original license, if the insurance policy lapses or expires, or if the license is revoked; a \$100 cargo insurance fee, if performing nonconsent tows; and \$25 annually or \$50 biennially for each tow truck the company owned and operated. The renewal fee was \$25 annually or \$50 biennially per tow truck. Under TDLR’s proposed rules, each applicant would pay a flat fee of \$350 for an original or renewal license.

- ³²² The \$25 fee is for an annual renewal and the \$50 fee is for a biennial renewal.
- ³²³ The Motor Carrier Act enacted in 1929 (Article 911b, Vernon’s Texas Civil Statutes) required all “Class B” motor carriers (motor carriers that transport property for compensation or hire between two or more incorporated cities, towns, or villages over public highways or streets of the state and not having fixed routes, regular schedules, fixed terminals, or published rates) to obtain a permit from the Railroad Commission of Texas and to pay an annual fee for each vehicle operated by the motor carrier; such carriers would have included tow truck companies. In 1987, with the enactment of the Tow Truck Act (Article 6687-9b, Vernon’s Texas Civil Statutes), tow truck companies also were required to register with the Texas Department of Labor and Standards (the predecessor of TDLR). In 1993, that registration program was transferred to the Railroad Commission of Texas. In 1995, the Motor Carrier Act and the Tow Truck Act were repealed and the tow truck registration program was modified and transferred to TxDOT under the Motor Carrier Registration Act (Article 6675c, Vernon’s Texas Civil Statutes). TxDOT administered the program until January 1, 2008, when all regulation of tow trucks was transferred to TDLR and TCLR.
- ³²⁴ This fee amount was recommended by TDLR in proposed rules filed January 2008. The deadline for public comment on the proposed rules is March 10, 2008.
- ³²⁵ Each applicant also must pay a \$100 garage keepers liability insurance filing fee when applying for the original license, if the insurance policy lapses or expires, or if the license is revoked.
- ³²⁶ In January 2008, TDLR filed proposed rules that include an original and renewal application fee of \$250 for each license applicant. The deadline for public comment for the proposed rules is March 10, 2008.
- ³²⁷ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ³²⁸ The fee for a combination water well driller and installer license is \$325.
- ³²⁹ Each applicant also must pay an examination fee of \$100 for a general well digger examination. In addition, the applicant may take an examination for an endorsement as a water well driller, a monitor well driver, or a closed loop geothermal well driller; the fee for each of those examinations is \$50.
- ³³⁰ Each applicant also must pay an examination fee of \$100 for a general pump installer examination. In addition, the applicant may take an examination for an endorsement as a pump installer single phase or pump installer three phase; or for installing windmills, hand pumps, and pump jacks; or line shaft turbine pumps. The fee for each of those examinations is \$50.
- ³³¹ The fee for a combination water well driller and installer apprentice registration is \$115.
- ³³² Government Code
- ³³³ Each applicant also must pay a \$100 examination fee.
- ³³⁴ This category was created by the 80th Texas Legislature (2007); therefore, there are no active licenses and no fee revenue for FY 07.
- ³³⁵ Health and Safety Code
- ³³⁶ In September 2007, the TCLR voted to reduce this fee to \$350; the change will take effect in 2008.
- ³³⁷ The renewal fee varies depending on the number of vehicle protection product warranties for which the registrant became obligated during the 12 months preceding the registration application date. In September 2007, the TCLR voted to reduce this fee to between \$350 to \$1,000; the change will take effect in 2008.
- ³³⁸ This fee varies depending on the annual gross receipts from the bingo games conducted.
- ³³⁹ This number refers to authorized organizations, each of which may have up to 12 temporary licenses.
- ³⁴⁰ A holder of this license has the option of renewing the license biennially for twice the annual renewal fee.
- ³⁴¹ Fee varies depending on the annual gross rentals from licensed organizations.
- ³⁴² Government Code
- ³⁴³ The fee is \$125 for one location and \$50 for each additional location and is paid biennially.
- ³⁴⁴ Includes \$200 professional fee required by statute.
- ³⁴⁵ Section 156.001, Occupations Code, requires a physician to register with the board every two years. Registrations are staggered and serve as a physician’s license renewal.
- ³⁴⁶ Does not include the \$200 professional fee nor the \$80 surcharge on registrations and renewals required by Section 4, Chapter 202, Acts of the 78th Legislature, Regular Session, 2003 (Senate Bill 104).

- ³⁴⁷ The Medical Practice Act enacted in 1837 by the Congress of the Republic of Texas created the first medical board to examine and license physicians. The board was discontinued in 1848, but another regulatory law was enacted in 1873 (Chapter 55, Acts of the 13th Legislature, Regular Session, 1873) which provided for county boards of medical examiners. The Texas State Board of Medical Examiners (now the Texas Medical Board) was created in 1907.
- ³⁴⁸ Includes only the state health agency, visiting professor, faculty temporary, and Department of State Health Services Medically Underserved Area licenses. Other licenses either do not generate revenue or have their holders counted elsewhere.
- ³⁴⁹ Except as indicated below, temporary and limited license categories were established by board rule under the board's general rulemaking authority.
- ³⁵⁰ The distinguished professors temporary license is valid for a one-year period and renewable one time, at the discretion of the executive director of the board.
- ³⁵¹ A visiting physician permit is valid for no more than 10 working days and for a specified locale and purpose. The executive director of the board may extend the length of the permit.
- ³⁵² A visiting professor license may be valid for any number of 31-day increments not to exceed 24 increments. The incremental periods are not required to be contiguous, but may be made in any arrangement approved by the executive director of the board.
- ³⁵³ A National Health Services Corps license is valid for the duration of the physician's contract. The license is issued for a term of one year and may be renewed.
- ³⁵⁴ A faculty temporary license is issued for a term of one year. A holder of a faculty temporary license may apply for one or more successive licenses.
- ³⁵⁵ Includes the \$80 fee required by Senate Bill 104.
- ³⁵⁶ A postgraduate research temporary license may be issued for a maximum of one year and is not renewable.
- ³⁵⁷ A Department of State Health Services Medically Underserved Area temporary license is valid for up to 31 days. A physician may not be issued more than one temporary license in any 12-month period. The physician must be employed by the Texas National Guard, the U.S. armed forces, or the national branch of the military reserves.
- ³⁵⁸ The number of public health/administrative licenses are included in the number of physician licenses.
- ³⁵⁹ Number includes only those offices registering in FY 07.
- ³⁶⁰ Additional office-based anesthesia registration is also valid for a two-year term.
- ³⁶¹ Total does not include \$80 surcharge on registrations and renewals required by Senate Bill 104.
- ³⁶² Since the original Medical Practice Act in 1837, the various permutations of physician licensing laws have accommodated some form of restricted licensure for individuals who have yet to complete their medical education.
- ³⁶³ Initial certification is valid for a one-year term.
- ³⁶⁴ Re-certification is valid for a two-year term.
- ³⁶⁵ Biennial renewal.
- ³⁶⁶ A \$200 fee is assessed for each licensed vocational nurse or registered nurse from another jurisdiction or licensing authority who is endorsed with a permanent license without further examination.
- ³⁶⁷ A \$25 fee is assessed for each advanced practice nurse on approval for prescriptive authority to carry out or sign prescription drug orders.
- ³⁶⁸ Includes active and inactive licensees—all who paid the fee for FY 07.
- ³⁶⁹ License is valid for a two-year period.
- ³⁷⁰ Section 568.002, Occupations Code, authorizes the board to allow a technician to petition for an exemption from certification requirements if the technician is in a county with a population of less than 50,000 or has been employed as a pharmacy technician in Texas for at least 10 years as of September 1, 2001, and the technician's employer approves the petition.
- ³⁷¹ Biennial renewal.
- ³⁷² Original registration of additional facilities is \$124 for each facility.
- ³⁷³ Annual renewal registration of additional facilities is \$126 for each facility.
- ³⁷⁴ An internship license expires one year after its date of issue. On good cause shown to the board, the license may be extended or renewed for up to six months. After the expiration of the original license and any extension or renewal granted by the board, a trainee may not hold another internship license before the first anniversary of the date the trainee's previous internship license expired.

- ³⁷⁵ Includes the \$200 professional licensing fee required by statute.
- ³⁷⁶ Includes license and examination fees. Does not include annual license renewal fees.
- ³⁷⁷ The provisional license was created by Chapter 439, Acts of the 75th Legislature, Regular Session, 1997, to replace the certificate that was the original prerequisite for licensure.
- ³⁷⁸ See also Section 21.003, Education Code.
- ³⁷⁹ The department's Private Security Bureau, which regulates the private security industry in Texas, issues licenses to private security companies and requires that individuals be registered by a licensed company, with the exception of an instructor of a basic training course for commissioned security officers.
- ³⁸⁰ All licenses, with the exception of an instructor license, are valid for one year. All registrations, an instructor license, and a personal protection officer authorization are valid for two years.
- ³⁸¹ Section 1702.221, Occupations Code, which requires registration for a security salesperson, also applies to an alarm systems salesperson. The bureau makes no distinction between the two categories except in regard to their continuing education requirements. The authorization under an alarm systems salesperson registration is limited to the sale of alarm systems; a security salesperson registration authorizes the registrant to sell both alarm systems and security systems.
- ³⁸² In addition to a company license, each branch office must be licensed and the company must pay a license fee of \$300 per branch office, which is included in the reported fee revenue for the company. A branch office is defined as a location identified to the public as a place from which business is conducted, solicited, or advertised and that is other than the principal place of business as shown in the bureau's records.
- ³⁸³ The Private Detectives Act, enacted in 1969, provided for the licensing and regulation of a private investigator (Class A), private patrol operator (Class B), or an operator who provides services within Classes A and B (Class C). The act also created registration requirements for any employee of a licensee and certification requirements for a branch office. The licensee is defined as "a person." Beginning in 1971, when "person" was defined to include an individual, firm, association, company, partnership, corporation, or other similar entity, the licensee is described as "a person or company."
- ³⁸⁴ A private security consultant is a one-person company that must be licensed by the bureau. House Bill 2833 (80th Texas Legislature, 2007) changes this license category to "private security consulting company" and creates a registration category for an employee of such a company. The license and registration fees will be determined by rule.
- ³⁸⁵ The requirement for an employer of a private security officer seeking a security officer commission to apply to the board for that commission was enacted in 1975, but the approval to employ commissioned security officers did not take the form of a letter of authority until 1983.
- ³⁸⁶ Beginning in 1969, each employee of a licensed private investigator, other than an employee engaged in clerical or other noninvestigation-related work, was required to be registered with what was then the Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers. In 1975, that requirement was clarified to apply to each individual employed as a private investigator, manager, or branch office manager of a licensee, including a security services contractor or an investigations company. In 1983, the registration was made voluntary for employees not otherwise required to register and was further expanded to apply to an employee of any bureau licensee.
- ³⁸⁷ An occupational license is required for any person other than a patron who participates in racing at which pari-mutuel wagering is conducted, including a person employed by a licensee to work at a racetrack where such wagering is conducted. Racetrack licenses are excluded because such licenses are perpetual and the license fees are based on various factors, including the number of live race days conducted by the racetrack association.
- ³⁸⁸ This license may be renewed for one, two, or three years. The renewal fee for a two-year license is \$150 and for a three-year license is \$225.
- ³⁸⁹ This registration may be renewed for one, two, or three years. The renewal fee for two years is \$50 and for three years is \$75.
- ³⁹⁰ Code chapter references are to the Natural Resources Code.
- ³⁹¹ These containers are manufactured to the specifications of the American Society of Mechanical Engineers.
- ³⁹² As originally enacted, this license was for a real estate dealer. The 54th Texas Legislature (1955) replaced "dealer" with "broker."
- ³⁹³ Fee varies depending on whether the license is for an apprentice, real estate, or professional inspector.
- ³⁹⁴ The lower fee is for an annual renewal, and the higher fee is for a biennial renewal, for which a licensee is eligible upon completing a certain level of continuing education coursework.
- ³⁹⁵ Code chapter references are to the Property Code.
- ³⁹⁶ In September 2005, the commission increased its registration and certificate fees. To offset the impact of the increase, the commission extended the validation period from one year to two years and began using a staggered renewal schedule wherein a registration or certificate with an even number must be renewed in the next even-numbered year and one with an odd number must be renewed in the next odd-numbered year. The state revenue from fees represents only new registrations or certificates or those that were renewed during FY 07.

- ³⁹⁷ Code chapter references are to the Finance Code.
- ³⁹⁸ Statutory references are to the Texas Securities Act (Article 581, Vernon's Texas Civil Statutes).
- ³⁹⁹ The board does not compile separate data for investment advisers and securities dealers; the two functions are reported together.
- ⁴⁰⁰ Includes a \$200 professional fee.
- ⁴⁰¹ This number includes notice filings, which the state requires for a federal covered investment adviser or its representative. These filings, which include payment of the same licensing and professional fee as an investment adviser representative registration, are copies of documents the investment adviser or representative files with the Securities Exchange Commission.
- ⁴⁰² The 1957 statute referred to an individual selling securities on behalf of a dealer as an "agent or salesman"; the term "salesman" was removed in 2001.
- ⁴⁰³ The lower fee is for a single registration field, and the higher fee is for a dual field.
- ⁴⁰⁴ Revenue is not reported separately by field; all registrants are included in the category "tax professionals."
- ⁴⁰⁵ The 1977 statute referred primarily to an "assessor," but the registration requirement applied also to certain assessor-collectors; the term was replaced by "assessor-collector," with the explicit reference to the office's dual function, in 1983.
- ⁴⁰⁶ Chapter 1046, Acts of the 80th Legislature, Regular Session, 2007, transferred regulation of tow truck companies to TDLR, effective January 1, 2008.
- ⁴⁰⁷ Transportation Code
- ⁴⁰⁸ The fee is \$5 for a seven-day registration, \$25 for a 90-day registration, and \$100 per year for an annual or biennial registration. The applicant must also pay a vehicle registration fee of \$10 to \$50 per vehicle depending on the type of vehicle and the validity period of the motor carrier registration.
- ⁴⁰⁹ The 1927 statute applied only to motor bus companies transporting passengers. Beginning in 1929, regulation was applied to motor carriers transporting property, and subsequent amendments extended that regulation to include the various types of commercial vehicles used to transport passengers or cargo.
- ⁴¹⁰ The fee amount varies depending on the number of motor vehicles sold during the preceding calendar year. In addition, a manufacturer must pay a \$20 fee for each of its franchises. For FY 07, there were 5,577 dealer franchises, which generated \$111,540 in fees.
- ⁴¹¹ The fee amount varies depending on the number of motor vehicles leased during the preceding calendar year.
- ⁴¹² According to 43 T.A.C. §8.103(c), a service-only facility is considered a dealership under Section 2301.002(8), Occupations Code.
- ⁴¹³ Section 801.256, Occupations Code, authorizes the board to issue a special license to an applicant "who is: (1) a member of the faculty or staff of a board-approved veterinary program at an institution of higher education; (2) a veterinarian employee of the Texas Animal Health Commission; (3) a veterinarian employee of the Texas Veterinary Medical Diagnostic Laboratory; or (4) a person licensed to practice veterinary medicine in another jurisdiction, if the board determines that the person's specialty practice is unrepresented or underrepresented"
- ⁴¹⁴ Fee for requisite examination.
- ⁴¹⁵ Includes \$200 professional licensing fee required by statute.

Table 2

Statutory Penalties for Violations Relating to Occupational Licenses

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Department of Aging and Disability Services	
<p>Home and community support services licenses</p> <ul style="list-style-type: none"> • Administrative penalties • Civil penalty • Criminal penalties 	<p>(a) The department shall assess an administrative penalty against a home and community support services agency that violates Section 166.004 [Statement Relating to Advance Directive].</p> <p>(b) A penalty assessed under this section shall be \$500. <i>[Statutory Authority: Section 142.0145, Health and Safety Code]</i></p> <p>(a) The department may assess an administrative penalty against a person who violates:</p> <ol style="list-style-type: none"> (1) this chapter or a rule adopted under this chapter; or (2) Section 102.001, Occupations Code [Soliciting Patients; Offense], if the violation relates to the provision of home health, hospice, or personal assistance services. <p>(b) The penalty shall be not less than \$100 or more than \$1,000 for each violation. Each day of a violation that occurs before the day on which the person receives written notice of the violation from the department does not constitute a separate violation and shall be considered to be one violation. Each day of a continuing violation that occurs after the day on which the person receives written notice of the violation from the department constitutes a separate violation. <i>[Statutory Authority: Section 142.017, Health and Safety Code]</i></p> <p>(a) A person who engages in the business of providing home health, hospice, or personal assistance services, or represents to the public that the person is a provider of home health, hospice, and personal assistance services for pay, without a license issued under this chapter authorizing the services that are being provided is liable for a civil penalty of not less than \$1,000 or more than \$2,500 for each day of violation. Penalties may be appropriated only to the department and to administer this chapter. <i>[Statutory Authority: Section 142.014, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person knowingly administers medication to a client of a home and community support services agency and the person is not authorized to administer the medication under Section 142.021 [Administration of Medication] or 142.022 [Exemptions for Nursing Students and Medication Aide Trainees].</p> <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 142.029, Health and Safety Code]</i></p> <p>(a) A person authorized by this subchapter [Subchapter B. Permits to Administer Medication] to administer medication to a client of a home and community support services agency may not dispense dangerous drugs or controlled substances without complying with Subtitle J, Title 3, Occupations Code [Pharmacy and Pharmacists].</p> <p>(b) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 142.030, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Convalescent and nursing home and related institutions licenses</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department may assess an administrative penalty against a person who:</p> <ol style="list-style-type: none"> (1) violates this chapter or a rule, standard, or order adopted or license issued under this chapter; (2) makes a false statement, that the person knows or should know is false, of a material fact: <ol style="list-style-type: none"> (A) on an application for issuance or renewal of a license or in an attachment to the application; or (B) with respect to a matter under investigation by the department; (3) refuses to allow a representative of the department to inspect: <ol style="list-style-type: none"> (A) a book, record, or file required to be maintained by an institution; or (B) any portion of the premises of an institution; (4) wilfully interferes with the work of a representative of the department or the enforcement of this chapter; (5) wilfully interferes with a representative of the department preserving evidence of a violation of this chapter or a rule, standard, or order adopted or license issued under this chapter; (6) fails to pay a penalty assessed by the department under this chapter not later than the 10th day after the date the assessment of the penalty becomes final; or (7) fails to notify the department of a change of ownership before the effective date of the change of ownership. <p>(b) Except as provided by Subsection (f) and Section 242.0665(c) [Institution’s Right to Correct a Violation], the penalty may not exceed \$10,000 a day for each violation.</p> <p>(c) Each day of a continuing violation constitutes a separate violation.</p> <p>(e) In determining the amount of a penalty, the department shall consider any matter that justice may require, including:</p> <ol style="list-style-type: none"> (1) the gradations of penalties established under Subsection (d); (2) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited act and the hazard or potential hazard created by the act to the health or safety of the public; (3) the history of previous violations; (4) deterrence of future violations; and (5) efforts to correct the violation. <p>(f) The penalty for a violation of Section 242.072(c) [Posting Notice of Suspension of Admissions Order] or a right of a resident adopted under Subchapter L may not exceed \$1,000 a day for each violation. This subsection does not apply to conduct that violates both Subchapter K or a standard adopted under Subchapter K and a right of a resident adopted under Subchapter L.</p> <p><i>[Statutory Authority: Section 242.066, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(d) A person commits an offense if the person knowingly:</p> <ol style="list-style-type: none"> (1) violates Subsection (c); or (2) removes a notice posted under Subsection (c) before the facility is allowed to admit residents. <p>(e) An offense under Subsection (d) is a Class C misdemeanor. <i>[Statutory Authority: Section 242.072, Health and Safety Code]</i></p> <p>(a) A home commits an offense if the home fails or refuses to comply with Section 242.100 [Notification of Closing]. (b) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 242.101, Health and Safety Code]</i></p> <p>(a) An institution that violates this subchapter [Subchapter H. Care for Residents with Alzheimer’s Disease and Related Disorders] is subject to an administrative penalty under Subchapter C [General Enforcement]. <i>[Statutory Authority: Section 242.203, Health and Safety Code]</i></p> <p>(a) A person who intentionally hampers, obstructs, tampers with, or destroys an electronic monitoring device installed in a resident’s room in accordance with this subchapter or a tape or recording made by the device commits an offense. An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 242.852, Health and Safety Code]</i></p>
<p>Assisted living facility license</p> <ul style="list-style-type: none"> • Administrative penalties 	<p>(a) The department may assess an administrative penalty against a person who:</p> <ol style="list-style-type: none"> (1) violates this chapter or a rule, standard, or order adopted under this chapter or a term of a license issued under this chapter; (2) makes a false statement, that the person knows or should know is false, of a material fact: <ol style="list-style-type: none"> (A) on an application for issuance or renewal of a license or in an attachment to the application; or (B) with respect to a matter under investigation by the department; (3) refuses to allow a representative of the department to inspect: <ol style="list-style-type: none"> (A) a book, record, or file required to be maintained by an assisted living facility; or (B) any portion of the premises of an assisted living facility; (4) wilfully interferes with the work of a representative of the department or the enforcement of this chapter; (5) wilfully interferes with a representative of the department preserving evidence of a violation of this chapter or a rule, standard, or order adopted under this chapter or a term of a license issued under this chapter; (6) fails to pay a penalty assessed under this chapter not later than the 30th day after the date the assessment of the penalty becomes final; or (7) fails to notify the department of a change of ownership before the effective date of the change of ownership.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(b) Except as provided by Section 247.0452(c) [Right to Correct a Violation], the penalty <i>may not exceed \$1,000 for each violation</i>.</p> <p>(d) In determining the amount of a penalty, the department shall consider any matter that justice may require, but must consider each of the following and make a record of the extent to which each of the following was considered:</p> <ol style="list-style-type: none"> (1) the gradations of penalties established under Subsection (c); (2) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited act and the hazard or potential hazard created by the act to the health or safety of the public; (3) the history of previous violations; (4) deterrence of future violations; (5) efforts to correct the violation; and (6) the size of the facility and of the business entity that owns the facility. <p><i>[Statutory Authority: Section 247.0451, Health and Safety Code]</i></p> <p>(a) The department shall assess an administrative penalty against an assisted living facility that violates Section 166.004 [Statement Relating to Advance Directive].</p> <p>(b) A penalty assessed under this section shall be \$500.</p> <p><i>[Statutory Authority: Section 247.0459, Health and Safety Code]</i></p> <p>(a) Except as provided by Subsections (b) and (c), a person who violates this chapter or who fails to comply with a rule adopted under this chapter and whose violation is determined by the department to threaten the health and safety of a resident of an assisted living facility is subject to a civil penalty of <i>not less than \$100 nor more than \$10,000 for each act of violation</i>. Each day of a continuing violation constitutes a separate ground of recovery.</p> <p>(b) A person is subject to a civil penalty if the person:</p> <ol style="list-style-type: none"> (1) is in violation of Section 247.021 [License Required]; or (2) has been determined to be in violation of Section 247.021 and violates any other provision of this chapter or fails to comply with a rule adopted under this chapter. <p>(c) The amount of a civil penalty under Subsection (b) <i>may not be less than \$1,000 or more than \$10,000 for each act of violation</i>. Each day of a continuing violation constitutes a separate ground of recovery.</p> <p><i>[Statutory Authority: Section 247.045, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Intermediate care facility for the mentally retarded license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department may assess an administrative penalty against a person who:</p> <ol style="list-style-type: none"> (1) violates this chapter or a rule, standard, or order adopted or license issued under this chapter; (2) makes a false statement, that the person knows or should know is false, of a material fact: <ol style="list-style-type: none"> (A) on an application for issuance or renewal of a license or in an attachment to the application; or (B) with respect to a matter under investigation by the department; (3) refuses to allow a representative of the department to inspect: <ol style="list-style-type: none"> (A) a book, record, or file required to be maintained by the institution; or (B) any portion of the premises of an institution; (4) wilfully interferes with the work of a representative of the department or the enforcement of this chapter; (5) wilfully interferes with a representative of the department preserving evidence of a violation of this chapter or a rule, standard, or order adopted or license issued under this chapter; (6) fails to pay a penalty assessed by the department under this chapter not later than the 10th day after the date the assessment of the penalty becomes final; (7) fails to submit a plan of correction within 10 days after receiving a statement of licensing violations; or (8) fails to notify the department of a change in ownership before the effective date of that change of ownership. <p>(b) The penalty for a facility with fewer than 60 beds shall be <i>not less than \$100 or more than \$1,000 for each violation</i>. The penalty for a facility with 60 beds or more shall be <i>not less than \$100 or more than \$5,000 for each violation</i>. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection <i>may not exceed \$5,000</i> for a facility with fewer than 60 beds or <i>\$25,000</i> for a facility with 60 beds or more. Each day a violation occurs or continues is a separate violation for purposes of imposing a penalty.</p> <p>(d) The department by rule shall establish a specific and detailed schedule of appropriate and graduated penalties for each violation based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation and the hazard of the violation to the health or safety of clients; (2) the history of previous violations; (3) whether the affected facility had identified the violation as a part of its internal quality assurance process and had made appropriate progress on correction; (4) the amount necessary to deter future violations; (5) efforts made to correct the violation; (6) the size of the facility; and (7) any other matters that justice may require. <p><i>[Statutory Authority: Section 252.065, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who violates this chapter or a rule adopted under this chapter is liable for a civil penalty of <i>not less than \$100 or more than \$10,000 for each violation</i> if the department determines the violation threatens the health and safety of a resident.</p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery. <i>[Statutory Authority: Section 251.064, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates Section 252.031 [License Required].</p> <p>(b) An offense under this section is punishable by a fine of <i>not more than \$1,000 for the first offense and not more than \$500 for each subsequent offense</i>.</p> <p>(c) Each day of a continuing violation after conviction is a separate offense. <i>[Statutory Authority: Section 252.063, Health and Safety Code]</i></p>
<p>Nursing facility administrator license</p> <ul style="list-style-type: none"> • Civil penalties • Criminal penalties 	<p>< Text of section effective until federal determination of failure to comply with federal regulations > A person who violates this subchapter [Subchapter I. Nursing Facility Administration] is liable to the state for a civil penalty of <i>\$1,000 for each day of violation</i>. At the request of the department, the attorney general shall bring an action to recover a civil penalty established by this section. <i>[Statutory Authority: Section 242.319, Health and Safety Code]</i></p> <p>< Text of section effective upon federal determination of failure to comply with federal regulations > A person who violates this subchapter [Subchapter I. Nursing Facility Administration] is liable to the state for a civil penalty of <i>\$1,000 for each day of violation</i>. At the request of the department, the attorney general shall bring an action to recover a civil penalty established by this section. <i>[Statutory Authority: Section 242.324, Health and Safety Code]</i></p> <p>< Text of section effective until federal determination of failure to comply with federal regulations > (a) A person commits an offense if the person knowingly or intentionally violates Section 242.305 [Practicing Without a License]. (b) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 242.321, Health and Safety Code]</i></p> <p>< Text of section effective upon federal determination of failure to comply with federal regulations > (a) A person commits an offense if the person knowingly or intentionally violates Section 242.310 [License Renewal]. (b) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 242.326, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(d) In determining the amount of the penalty, the department shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including but not limited to the nature, circumstances, extent, and gravity of the prohibited acts, and the hazard or potential hazard created to the health or safety of the public; (2) the damage to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 12.020, Agriculture Code]</i></p> <p>(a) If a person violates a provision of this chapter or a rule or order adopted by the department under this chapter, the department may assess an administrative penalty against the person as provided by Section 12.020, Agriculture Code [Administrative Penalties], except that the penalty shall not exceed \$4,000 for all violations related to a single incident.</p> <p>(b) The department shall establish a schedule stating the types of violations possible under this chapter. The department is not required to comply with Subchapter B, Chapter 2001, Government Code [Administrative Procedure: Rulemaking], when establishing or revising the schedule. The department shall publish the initial schedule and any subsequent revision in the Texas Register before the schedule or revision is implemented.</p> <p>(c) If the department elects to assess an administrative penalty, no action for a civil penalty may be based on the same violation or violations.</p> <p><i>[Statutory Authority: Section 76.1555, Agriculture Code]</i></p> <p>(a) A person who violates a provision of this chapter administered by a regulatory agency other than the department or a rule adopted by a regulatory agency other than the department under this chapter is liable for a civil penalty of not less than \$50 nor more than \$1,000 for each day on which the violation occurs.</p> <p>(b) A person who violates a provision of this chapter administered by the department or a rule adopted by the department under this chapter is liable for a civil penalty of not less than \$50 nor more than \$10,000 for each violation, provided that the penalty shall not exceed \$25,000 for all violations related to a single incident.</p> <p>(c) No civil penalty may be collected for any violation that constituted the basis for a department proceeding to assess an administrative penalty, regardless of whether the department was or was not successful in collecting the administrative penalty.</p> <p><i>[Statutory Authority: Section 76.156, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person distributes within this state or delivers for transportation or transports in intrastate commerce or between points within this state through a point outside this state, any of the following:</p> <ol style="list-style-type: none"> (1) a pesticide that has not been registered as provided by this chapter, except for a pesticide that is not for use in this state and is only being manufactured, transported, or distributed for use outside of this state; (2) a pesticide that has a claim, a direction for its use, or labeling that differs from the representations made in connection with its registration; (3) a pesticide that is not in the registrant’s or manufacturer’s unbroken immediate container and that is not labeled with the information and in the manner required by Section 76.021 [Labeling Information] of this code; (4) a pesticide: <ol style="list-style-type: none"> (A) that is of strength or purity that falls below the professed standard or quality expressed on its labeling or under which it is sold; (B) for which a substance has been substituted wholly or in part; (C) of which a valuable constituent has been wholly or in part abstracted; or (D) in which a contaminant is present in an amount that is determined by the department to be a hazard; (5) a pesticide or device that is misbranded; or (6) a pesticide in a container that is unsafe due to damage. <p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) detaches, alters, defaces, or destroys, wholly or in part, any label or labeling provided for by this chapter or a rule adopted under this chapter before the container has been emptied and rinsed properly; (2) adds any substance to or takes any substance from a pesticide in a manner that may defeat the purpose of this chapter or a rule adopted under this chapter; (3) uses or causes to be used a pesticide contrary to its labeling or to a rule of the department limiting the use of the pesticide; (4) handles, transports, stores, displays, or distributes a pesticide in a manner that violates a provision of this chapter or a rule adopted by the department under this chapter; or (5) disposes of, discards, or stores a pesticide or pesticide container in a manner that the person knows or should know is likely to cause injury to man, vegetation, crops, livestock, wildlife, or pollinating insects. <p>(c) A person other than a person to whom the pesticide is registered commits an offense if the person uses for the person’s advantage or reveals, other than to a properly designated state or federal official or employee, a physician, or in emergency to a pharmacist or other qualified person for the preparation of an antidote, any information relating to pesticide formulas, trade secrets, or commercial or financial information acquired under this chapter and marked as privileged or confidential by the registrant.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(d) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) commits an act for which a certified applicator’s license may be suspended, modified, revoked, or not renewed under Section 76.116 [Suspension, Modification, or Revocation of License] of this code; or (2) violates any provision of this chapter to which this section does not expressly apply. <p>(e) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) knowingly or intentionally uses, causes to be used, handles, stores, or disposes of a pesticide in a manner that causes injury to man, vegetation, crops, livestock, wildlife, or pollinating insects; (2) violates Section 76.071(a) [License Required; section prohibits a person from distributing in this state a restricted-use or state-limited-use pesticide or regulated herbicide without a valid current pesticide dealer license issued by the department]; (3) has a permit to apply a powder or dry-type regulated herbicide and applies a herbicide that does not meet the requirements of Section 76.144(c) [County Herbicide Regulations]; (4) violates a rule adopted under this chapter; or (5) fails to keep or submit records in violation of this chapter. <p><i>[Statutory Authority: Section 76.201, Agriculture Code]</i></p> <p>(a) Except as provided by Subsection (b) of this section, an offense under Section 76.201 of this code is a Class C misdemeanor, unless the person has been previously convicted of an offense under that section, in which event the offense is a Class B misdemeanor.</p> <p>(b) An offense under Section 76.201(e) of this code is a Class A misdemeanor, unless the person has been previously convicted of an offense under that subsection, in which event the offense is a felony of the third degree.</p> <p><i>[Statutory Authority: Section 76.202, Agriculture Code]</i></p>
<p>Structural pest control licenses (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commissioner may impose an administrative penalty on a person who violates this chapter, a rule adopted or order issued under this chapter, or a cease and desist order issued under Section 1951.604 [Cease and Desist Order].</p> <p><i>[Statutory Authority: Section 1951.551, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$5,000 a day for each violation. Each day a violation continues or occurs may be considered a separate violation for purposes of penalty assessment.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited act; and (B) the hazard or potential hazard created to the health or safety of the public; (2) the economic damage to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 1951.552, Occupations Code]</i></p> <p>(a) A person who violates this chapter or a rule, license, or order of the commissioner is subject to a civil penalty of <i>not less than \$50 or more than \$2,000 for each act of violation and for each day of violation.</i></p> <p>(b) If it appears that a person has violated or is threatening to violate this chapter or a rule, license, or order of the commissioner, the commissioner may have a civil action instituted in a district court for:</p> <ol style="list-style-type: none"> (1) injunctive relief to restrain the person from continuing the violation or threat of violation; (2) the assessment and recovery of a civil penalty under Subsection (a); or (3) both injunctive relief and the civil penalty. <p><i>[Statutory Authority: Section 1951.602, Occupations Code]</i></p>
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) violates this chapter; (2) violates a rule adopted under Section 1951.205 [Environmental Rules] or 1951.206 [Rules Restricting Advertising or Competitive Bidding]; or (3) intentionally makes a false statement in an application for a license or otherwise fraudulently obtains or attempts to obtain a license. <p>(b) Each day a violation occurs is a separate offense.</p> <p>(c) Except as otherwise provided by this subsection, an offense under this section is a <i>Class C misdemeanor</i>. An offense under this section is a <i>Class B misdemeanor</i> if the person has been convicted previously of an offense under this section.</p> <p><i>[Statutory Authority: Section 1951.603, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<i>Weights and Measures Licenses</i>	
<p>Public weigher certificate of authority (county or state)</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A public weigher or deputy public weigher who intentionally or knowingly issues a certificate of weight or measure giving a false weight or measure for a commodity weighed or measured commits an offense.</p> <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 13.259, Agriculture Code]</i></p> <p>(a) A person who intentionally or knowingly issues an official certificate of weight or measure for any commodity without first obtaining a certificate of authority under Section 13.255 [Certificate] of this code, who issues an official certificate of weight or measure after revocation of the person’s certificate of authority, or who issues an official certificate of weight or measure without executing a bond as required under Section 13.256 [Bond] of this code commits an offense.</p> <p>(b) An offense under this section is a Class C misdemeanor. <i>[Statutory Authority: Section 13.260, Agriculture Code]</i></p>
<p>Weights and measures licenses, registrations, and certificates of authority (generally)</p> <ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person who violates this chapter or a rule adopted under this chapter is liable to the state for a civil penalty not to exceed \$500 for each violation. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment. <i>[Statutory Authority: Section 13.007, Agriculture Code]</i></p>
<p>Weights and measures inspection company license</p> <ul style="list-style-type: none"> • Civil penalties 	<p>(a) A person who violates this subchapter [Subchapter F. Inspection and Testing of Liquefied Petroleum Gas Meters] or a rule adopted under this subchapter is liable to the state for a civil penalty of not less than \$250 nor more than \$10,000 for each violation. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment. <i>[Statutory Authority: Section 13.307, Agriculture Code]</i></p> <p>(a) A person who violates this subchapter [Subchapter G. Inspection and Testing of Ranch Scales] or a rule adopted under this subchapter is liable to the state for a civil penalty of not less than \$250 nor more than \$10,000 for each violation. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment. <i>[Statutory Authority: Section 13.357, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person who violates this subchapter [Subchapter H. Licensed Inspectors of Weighing and Measuring Devices] or a rule adopted under this subchapter is liable to the state for a civil penalty of not less than \$250 nor more than \$10,000 for each violation. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment. <i>[Statutory Authority: Section 13.406, Agriculture Code]</i></p> <p>(a) An individual commits an offense if the individual is required to be licensed under this subchapter [Subchapter F. Inspection and Testing of Liquefied Petroleum Gas Meters], is not licensed under this subchapter, and performs or offers to perform an inspection or test on a liquefied petroleum gas meter for compensation. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 13.308, Agriculture Code]</i></p> <p>(a) An individual commits an offense if the individual is required to be licensed under this subchapter [Subchapter G. Inspection and Testing of Ranch Scales], is not licensed under this subchapter, and performs or offers to perform an inspection or test on a ranch scale for compensation. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 13.358, Agriculture Code]</i></p> <p>(a) An individual commits an offense if the individual is required to be licensed under this subchapter [Subchapter H. Licensed Inspectors of Weighing and Measuring Devices], is not licensed under this subchapter, and performs or offers to perform an inspection or test on a weighing or measuring device for compensation. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 13.407, Agriculture Code]</i></p>
Other Licenses	
Aquaculture facility license	<p>(a) Except as provided by Subsection (b), (c), or (d) of this section, a person who violates any provision of this chapter or rule adopted under this chapter commits an offense that is a Class C misdemeanor.</p> <p>(b) A person who violates Section 134.019 [Marketing of Cultured Redfish and Cultured Speckled Sea Trout] or 134.020 [Exotic Species] commits an offense that is a Class B misdemeanor.</p> <p>(c) A person who violates Section 134.022(b) of this code [relating to acquiring or otherwise exercising control over cultured species with intent to deprive the owner] by taking cultured species of a value of \$200 or more but less than \$750 commits an offense that is a Class A misdemeanor.</p> <p>(d) A person who violates Section 134.022(b) of this code by taking cultured species of a value of \$750 or more commits an offense that is a felony of the third degree. <i>[Statutory Authority: Section 134.023, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Egg broker license; egg dealer-wholesaler license; egg processor license</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who violates this chapter or a rule adopted under this chapter is liable to the state for a civil penalty <i>not to exceed \$500 for each violation</i>. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment. <i>[Statutory Authority: Section 132.0715, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person violates a provision of this chapter. (b) An offense under this chapter is a <i>misdemeanor punishable by a fine of not less than \$50 nor more than \$1,000</i>. <i>[Statutory Authority: Section 132.081, Agriculture Code]</i></p>
<p>Egg broker license; egg dealer-wholesaler license</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person sells, in bulk or in containers, eggs that are not denatured and are inedible for any reason, including eggs that are:</p> <ol style="list-style-type: none"> (1) leakers; (2) affected by black, white, or mixed rot; (3) addled; (4) incubated; or (5) contaminated by a blood ring or an embryo chick at or beyond the blood-ring stage. <p>(b) It is an exception to the application of this section that:</p> <ol style="list-style-type: none"> (1) the inedible eggs do not exceed five percent by count of the eggs sold; and (2) the eggs are sold to: <ol style="list-style-type: none"> (A) a dealer for candling and grading; or (B) a breaking plant for breaking purposes. <p>(c) An offense under this section is a <i>misdemeanor punishable by a fine of not less than \$50 nor more than \$1,000</i>. <i>[Statutory Authority: Section 132.082, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person uses the prefix “U.S.” on grades and weight classes of shell eggs that are not graded under official United States Department of Agriculture supervision. (b) An offense under this section is a <i>misdemeanor punishable by a fine of not less than \$50 nor more than \$1,000</i>. <i>[Statutory Authority: Section 132.083, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority																
	<p>(a) A person commits an offense if the person:</p> <p>(1) advertises or sells shell eggs below the quality of Grade A by describing the eggs as “fresh,” “yard,” “selected,” “hennerly,” “new-laid,” “infertile,” “cage,” or with words that have similar meaning; or</p> <p>(2) advertises eggs by price without also indicating the full, correct, and unabbreviated designation of size and grade of the eggs.</p> <p>(b) An offense under this section is a <i>misdemeanor punishable by a fine of not less than \$50 nor more than \$1,000.</i></p> <p><i>[Statutory Authority: Section 132.084, Agriculture Code]</i></p>																
<p>Nursery or floral registration</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) If a person violates a provision of this code described by Subsection (c) of this section or a rule or order adopted by the department under a provision of this code described by Subsection (c) of this section, the department may assess an administrative penalty against the person as provided by this section.</p> <p>(b) The penalty for each violation may be in an amount not to exceed the maximum provided by Subsection (c) of this section. Each day a violation continues or occurs may be considered a separate violation for purposes of penalty assessments.</p> <p>(c) The provisions of this code subject to this section and the applicable penalty amounts are as follows:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Provision</u></th> <th style="text-align: right;"><u>Amount of Penalty</u></th> </tr> </thead> <tbody> <tr> <td>Chapter 41</td> <td style="text-align: right;">\$1,000</td> </tr> <tr> <td>Chapters 13, 14A, 18, 46, 61, 94, 95, 101, 102, 103, 121, 125, 132, and 134</td> <td style="text-align: right;">not more than \$500</td> </tr> <tr> <td colspan="2"><i>Subchapter B [Inspection of Nursery Products and Florist Items], Chapter 71;</i></td> </tr> <tr> <td>Chapter 19; Chapter 76.....</td> <td style="text-align: right;"><i>not more than \$2,000</i></td> </tr> <tr> <td colspan="2"><i>Subchapters A [Inspections, Quarantines, Control and Eradication Zones] and C [Inspection of Vegetable Plants], Chapter 71; Chapters 72, 73, and 74</i></td> </tr> <tr> <td>Chapter 14</td> <td style="text-align: right;"><i>not more than \$5,000</i></td> </tr> <tr> <td>Chapter 14</td> <td style="text-align: right;">not more than \$10,000</td> </tr> </tbody> </table> <p>(d) In determining the amount of the penalty, the department shall consider:</p> <p>(1) the seriousness of the violation, including but not limited to the nature, circumstances, extent, and gravity of the prohibited acts, and the hazard or potential hazard created to the health or safety of the public;</p> <p>(2) the damage to property or the environment caused by the violation;</p> <p>(3) the history of previous violations;</p> <p>(4) the amount necessary to deter future violations;</p> <p>(5) efforts to correct the violation; and</p> <p>(6) any other matter that justice may require.</p> <p><i>[Statutory Authority: Section 12.020, Agriculture Code]</i></p>	<u>Provision</u>	<u>Amount of Penalty</u>	Chapter 41	\$1,000	Chapters 13, 14A, 18, 46, 61, 94, 95, 101, 102, 103, 121, 125, 132, and 134	not more than \$500	<i>Subchapter B [Inspection of Nursery Products and Florist Items], Chapter 71;</i>		Chapter 19; Chapter 76.....	<i>not more than \$2,000</i>	<i>Subchapters A [Inspections, Quarantines, Control and Eradication Zones] and C [Inspection of Vegetable Plants], Chapter 71; Chapters 72, 73, and 74</i>		Chapter 14	<i>not more than \$5,000</i>	Chapter 14	not more than \$10,000
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Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) wilfully or negligently violates a provision of this subchapter [Subchapter C. Inspection of Vegetable Plants]; or (2) makes a false representation of plants by use of a certificate tag or stamp. <p>(b) An offense under this section is a Class C misdemeanor.</p> <p>(c) A person finally convicted of an offense under this section shall be removed from the list of certified growers for a period of 12 months.</p> <p><i>[Statutory Authority: Section 71.116, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person sells, distributes, or imports into the state a noxious or invasive plant species included on the department’s list described under Section 71.151 [List Required].</p> <p>(b) An offense under this section is a Class C misdemeanor.</p> <p>(c) A person commits a separate offense for each noxious or invasive plant item or unit sold, distributed, or imported.</p> <p><i>[Statutory Authority: Section 71.152, Agriculture Code]</i></p>
Rose grading certificate of authority	<p>(a) A person commits an offense if the person advertises, sells, or offers for sale a rose plant or a shipment of rose plants that is not clearly and distinctly marked with a grade in accordance with the rules of the department.</p> <p>(b) An offense under this section is a Class C misdemeanor.</p> <p><i>[Statutory Authority: Section 121.010, Agriculture Code]</i></p>
<p>Perishable commodities license (handling and marketing of)</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalties 	<p>(a) A person who violates this chapter or a rule adopted under this chapter is liable to the state for a civil penalty not to exceed \$500 for each violation. Each day a violation continues may be considered a separate violation for purposes of a civil penalty assessment.</p> <p><i>[Statutory Authority: Section 101.0185, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) acts in violation of Section 101.003 [License Required] by not obtaining a license or registration or after receiving notice of cancellation of a license or registration; (2) acts or assumes to act as a transporting agent or buying agent: <ol style="list-style-type: none"> (A) without first obtaining an identification card; or (B) after receiving notice of cancellation of an identification card; (3) as a transporting agent or buying agent, fails and refuses to turn over to the department an identification card in accordance with Section 101.010(e) [Transporting Agent or Buying Agent Identification Card; subsection requires cardholder to return the card to the department for cancellation when no longer the agent of the licensee];

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(4) as a license holder, fails to furnish information under Section 101.017 [Record of Sale] before the 11th day following the date of demand;</p> <p>(5) as a license holder, fails to settle with a producer or seller on the grade and quality of perishable commodities in the manner provided by Section 101.015 [Settlement on Grade and Quality];</p> <p>(6) as a cash dealer, pays for perishable commodities by a means other than United States currency;</p> <p>(7) as a license holder, transporting agent, or buying agent, violates a provision of this chapter;</p> <p>(8) acts or assumes to act as a cash dealer without first registering as a cash dealer;</p> <p>(9) as a license holder, buys or sells perishable commodities by weight and does not have the perishable commodities weighed on scales that meet state requirements;</p> <p>(10) fails to prepare and maintain records required by Sections 101.016 [Records of Purchase], 101.017, and 101.018 [Department Enforcement]; or</p> <p>(11) fails to provide records as required by Sections 101.016 and 101.018.</p> <p>(b) An offense under this section is a <i>misdemeanor punishable by a fine of not more than \$500.</i></p> <p>(c) A person commits a separate offense for each day the person acts in violation of Section 101.003 of this code without first obtaining a license or violates Subsection (a)(2) or (a)(3) of this section.</p> <p><i>[Statutory Authority: Section 101.020, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person acts or assumes to act as a license holder under Chapter 101 [Handling and Marketing of Perishable Commodities] without first paying the fee required by this chapter.</p> <p>(b) An offense under this section is a <i>misdemeanor punishable by a fine of not more than \$500.</i></p> <p>(c) A person commits a separate offense for each day the person acts in violation of this section.</p> <p><i>[Statutory Authority: Section 103.013, Agriculture Code]</i></p>
<p>Public grain warehouse license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) If a person violates a provision of this code described by Subsection (c) of this section or a rule or order adopted by the department under a provision of this code described by Subsection (c) of this section, the department may assess an administrative penalty against the person as provided by this section.</p> <p>(b) The penalty for each violation may be in an amount not to exceed the maximum provided by Subsection (c) of this section. Each day a violation continues or occurs may be considered a separate violation for purposes of penalty assessments.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

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	<p>(c) The provisions of this code subject to this section and the applicable penalty amounts are as follows:</p> <table border="1" data-bbox="640 321 1955 537"> <thead> <tr> <th><i>Provision</i></th> <th><i>Amount of Penalty</i></th> </tr> </thead> <tbody> <tr> <td>Chapter 41</td> <td>\$1,000</td> </tr> <tr> <td>Chapters 13, 14A, 18, 46, 61, 94, 95, 101, 102, 103, 121, 125, 132, and 134</td> <td>not more than \$500</td> </tr> <tr> <td>Subchapter B, Chapter 71; Chapter 19; Chapter 76</td> <td>not more than \$2,000</td> </tr> <tr> <td>Subchapters A and C, Chapter 71; Chapters 72, 73, and 74.....</td> <td>not more than \$5,000</td> </tr> <tr> <td><i>Chapter 14 [Regulation of Public Grain Warehouse Operators]</i></td> <td><i>not more than \$10,000</i></td> </tr> </tbody> </table> <p>(d) In determining the amount of the penalty, the department shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including but not limited to the nature, circumstances, extent, and gravity of the prohibited acts, and the hazard or potential hazard created to the health or safety of the public; (2) the damage to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 12.020, Agriculture Code]</i></p>	<i>Provision</i>	<i>Amount of Penalty</i>	Chapter 41	\$1,000	Chapters 13, 14A, 18, 46, 61, 94, 95, 101, 102, 103, 121, 125, 132, and 134	not more than \$500	Subchapter B, Chapter 71; Chapter 19; Chapter 76	not more than \$2,000	Subchapters A and C, Chapter 71; Chapters 72, 73, and 74.....	not more than \$5,000	<i>Chapter 14 [Regulation of Public Grain Warehouse Operators]</i>	<i>not more than \$10,000</i>
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Subchapters A and C, Chapter 71; Chapters 72, 73, and 74.....	not more than \$5,000												
<i>Chapter 14 [Regulation of Public Grain Warehouse Operators]</i>	<i>not more than \$10,000</i>												
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person who violates this chapter is liable for a civil penalty of <i>not less than \$500 or more than \$10,000 for each violation</i>. Each day a violation occurs or continues may be considered a separate violation for purposes of a civil penalty assessment.</p> <p><i>[Statutory Authority: Section 14.086, Agriculture Code]</i></p>												
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person violates a provision of this chapter for which an offense is not expressly provided.</p> <p>(b) An offense under this section is a <i>Class B misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 14.071, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) transacts any public grain warehouse business without first obtaining a license required by this chapter; or (2) continues to transact public grain warehouse business after a license has been revoked or suspended, or the license holder has been placed on probation, except as permitted under Section 14.084 [Operation After Revocation or Suspension of a License or Probation]. <p>(b) An offense under this section is a <i>felony of the third degree</i>.</p> <p>(c) A person commits a separate offense for each day business prohibited by this section is carried on.</p> <p><i>[Statutory Authority: Section 14.072, Agriculture Code]</i></p>												

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person:</p> <ul style="list-style-type: none"> (1) issues or aids in issuing a receipt or scale weight ticket knowing that the grain covered by the receipt or scale weight ticket has not been actually received at the grain warehouse; (2) issues or aids in issuing a duplicate or additional negotiable receipt for grain knowing that a former negotiable receipt for the same grain or any part of the grain is outstanding except as permitted by Section 14.055 [Duplicate Receipts]; or (3) fraudulently and without proper authority represents, forges, alters, counterfeits, or simulates any license, scale weight ticket, or receipt provided for by this chapter. <p>(b) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.073, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ul style="list-style-type: none"> (1) delivers grain out of a public grain warehouse knowing that a negotiable receipt for the grain is outstanding and without possessing that receipt; or (2) delivers grain out of a public grain warehouse: <ul style="list-style-type: none"> (A) knowing that a nonnegotiable receipt or scale weight ticket is outstanding; (B) without the prior approval of the person lawfully entitled to delivery; and (C) without the delivery being shown on the appropriate records of the warehouse operator. <p>(b) It is an affirmative defense to prosecution under this section that the person’s action is:</p> <ul style="list-style-type: none"> (1) a sale or other disposition of grain in lawful enforcement of a warehouse operator’s lien; (2) a warehouse operator’s lawful termination of a storing, shipping, or handling agreement; (3) a delivery to the person lawfully entitled to delivery; (4) a delivery authorized by prior approval of the person lawfully entitled to delivery and the delivery is shown on the appropriate records of the warehouse operator; (5) necessary to prevent destruction of the grain; (6) taken under the order of a state or federal court; or (7) permitted by a rule of the department necessary to carry out this chapter. <p>(c) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.074, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person fraudulently issues or aids in fraudulently issuing a receipt or scale weight ticket knowing that it contains a false statement.</p> <p>(b) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.075, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person changes a receipt or scale weight ticket after its issuance.</p> <p>(b) It is a defense to prosecution under this section that the change on the receipt or scale weight ticket is a notation by the warehouse operator for partial delivery or corrections made by the warehouse operator to reflect accuracy of accounts.</p> <p>(c) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.076, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) deposits grain without having title to the grain or deposits grain on which there is a lien or mortgage; (2) receives for the grain a negotiable receipt; and (3) negotiates the receipt for value with intent to deceive and without disclosing the person’s lack of title or the existence of a lien or mortgage on the grain. <p>(b) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.077, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) obtains or exercises control over grain stored in a public grain warehouse without the owner’s effective consent and with the intent to deprive the owner of the grain; (2) obtains from another person grain stolen from a public grain warehouse knowing that the grain is stolen; or (3) exercises control over grain stolen from a public grain warehouse knowing that the grain is stolen. <p>(b) An offense under this section is a <i>felony of the second degree</i>. <i>[Statutory Authority: Section 14.078, Agriculture Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) without the department’s consent and with the intent to obstruct the department’s regulation, management, or control of sealed grain, obtains or exercises control over grain stored in a building, bin, or other similar structure sealed by the department; (2) breaks, removes, vandalizes, or otherwise interferes with a department seal placed on a building, bin, or other similar structure used for the receiving of grain for hire, shipping of grain for hire, storing of grain for hire, or handling of grain for hire; (3) without the department’s consent and with the intent to obstruct the department’s regulation, management, or control of sealed grain, interferes with the department’s access to or control of grain stored in a building, bin, or other similar structure sealed by the department; or (4) interferes with the lawful investigation or inspection of the facilities, records, or grain deposits of a public grain warehouse by a department inspector or other department official.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(b) It is an affirmative defense to prosecution under this section that the person’s action is:</p> <ol style="list-style-type: none"> (1) necessary to prevent destruction of stored grain or the sealed structure; or (2) taken under the order of a state or federal court. <p>(c) An offense under this section is a <i>felony of the third degree</i>. <i>[Statutory Authority: Section 14.079, Agriculture Code]</i></p>
<p>Vegetable seed license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person sells or offers, exposes, or transports for sale agricultural or vegetable seed within this state that:</p> <ol style="list-style-type: none"> (1) has not been tested for germination in accordance with Section 61.009 [Germination and Purity Testing] of this code; (2) is not labeled in accordance with Section 61.004 [Labeling of Agricultural Seed], 61.005 [Labeling of Vegetable Seed], or 61.006 [Labeling of Treated Seed] of this code, as applicable; (3) has false or misleading labeling; (4) is represented by a false or misleading advertisement; (5) contains noxious weed seeds in excess of the limitations per pound, allowing for tolerances, prescribed under Section 61.008 [Noxious Weed Content] of this code; (6) has labeling or advertising subject to this chapter that represents the seed to be certified in violation of Section 61.007 [Certified Seed] of this code; or (7) is labeled by variety name in violation of Section 61.007(b) [subsection prohibits dealing in certain seed labeled by variety name if the seed is not certified by an official seed certifying agency] of this code. <p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) detaches, alters, defaces, or destroys any label provided for in this chapter or the rules adopted under this chapter; (2) alters or substitutes seed in a manner that may defeat the purposes of this chapter; (3) disseminates a false or misleading advertisement concerning agricultural or vegetable seed; (4) fails to comply with a stop-sale order issued under Section 61.014 [Stop-Sale Order] of this code; (5) hinders or obstructs an authorized person in the performance of duties under this chapter; (6) uses the word “type” in violation of Section 61.004(b) [subsection prohibits using the word “type” in any labeling in connection with the name of an agricultural seed variety] of this code; or (7) violates any other provision of this chapter. <p>(c) An offense under this section is a <i>Class C misdemeanor</i>.</p> <p>(d) If a person is prosecuted under this section for selling or offering or exposing for sale in this state agricultural or vegetable seed that is incorrectly labeled or represented as to kind, variety, type, treatment, or origin and that cannot be identified by examination, it is a defense to prosecution that the defendant obtained an invoice or grower’s declaration giving kind, kind and variety, or kind and type, treatment, and origin, if required. <i>[Statutory Authority: Section 61.018, Agriculture Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>without the opportunity to pay a civil penalty. In adopting rules under this subsection, the commission shall consider the type of license or permit held, the type of violation, any aggravating or ameliorating circumstances concerning the violation, and any past violations of this code by the permittee or licensee. In cases in which a civil penalty is assessed, the commission or administrator shall determine the amount of the penalty. The amount of the civil penalty may not be less than \$150 or more than \$25,000 for each day the permit or license was to have been suspended. If the licensee or permittee does not pay the penalty before the sixth day after the commission or administrator notifies him of the amount, the commission or administrator shall impose the suspension.</p> <p>(b) In the case of a violation of this code by a permittee or a licensee, the commission or administrator may relax any provision of the code relating to the suspension or cancellation of the permit or license and assess a sanction the commission or administrator finds just under the circumstances, and the commission or administrator may reinstate the license or permit at any time during the period of suspension on payment by the permittee or licensee of a fee of not less than \$75 nor more than \$500, if the commission or administrator finds that any of the circumstances described in Subsection (c) exists.</p> <p>(c) The following circumstances justify the application of Subsection (b):</p> <ol style="list-style-type: none"> (1) that the violation could not reasonably have been prevented by the permittee or licensee by the exercise of due diligence; (2) that the permittee or licensee was entrapped; (3) that an agent, servant, or employee of the permittee or licensee violated this code without the knowledge of the permittee or licensee; (4) that the permittee or licensee did not knowingly violate this code; (5) that the permittee or licensee has demonstrated good faith, including the taking of actions to rectify the consequences of the violation and to deter future violations; or (6) that the violation was a technical one. <p><i>[Statutory Authority: Section 11.64, Alcoholic Beverage Code]</i></p> <p>(a) A person who violates a provision of this code for which a specific penalty is not provided is guilty of a misdemeanor and on conviction is punishable by a fine of not less than \$100 nor more than \$1,000 or by confinement in the county jail for not more than one year or by both.</p> <p>(b) The term “specific penalty,” as used in this section, means a penalty which might be imposed as a result of a criminal prosecution.</p> <p><i>[Statutory Authority: Section 1.05, Alcoholic Beverage Code]</i></p> <p>A person who violates a valid rule of the commission is guilty of a misdemeanor and on conviction is punishable by the penalty prescribed in Section 1.05 of this code [see above].</p> <p><i>[Statutory Authority: Section 5.42, Alcoholic Beverage Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) By accepting a license or permit, the holder consents to the commission, an authorized representative of the commission, or a peace officer entering the licensed premises at any time to conduct an investigation or inspect the premises for the purpose of performing any duty imposed by this code.</p> <p>(b) A person commits an offense if the person refuses to allow the commission, an authorized representative of the commission, or a peace officer to enter a licensed or permitted premises as required by Subsection (a). An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 101.04, Alcoholic Beverage Code]</i></p> <p>(a) A person commits an offense if the person with criminal negligence sells an alcoholic beverage to an habitual drunkard or an intoxicated or insane person.</p> <p>(b) Except as provided in Subsection (c) of this section, a violation of this section is a <i>misdemeanor punishable by a fine of not less than \$100 nor more than \$500, by confinement in jail for not more than one year, or by both</i>.</p> <p>(c) If a person has been previously convicted of a violation of this section or of Section 106.03 [Sale to Minors] of this code, a violation is a <i>misdemeanor punishable by a fine of not less than \$500 nor more than \$1,000, by confinement in jail for not more than one year, or by both</i>.</p> <p><i>[Statutory Authority: Section 101.63, Alcoholic Beverage Code]</i></p> <p>Except as provided in Section 103.05(d) [relating to a peace officer’s falsified report of a property seizure] of this code, a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable <i>by imprisonment in the penitentiary for not less than 2 nor more than 10 years</i>.</p> <p><i>[Statutory Authority: Section 101.69, Alcoholic Beverage Code]</i></p> <p>(a) A permittee or licensee commits an offense if he employs, authorizes, permits, or induces a person younger than 18 years of age to dance with another person in exchange for a benefit, as defined by Section 1.07, Penal Code [Definitions], on the premises covered by the permit or license.</p> <p>(b) An offense under Subsection (a) is a <i>Class A misdemeanor</i>.</p> <p>(c) In addition to a penalty imposed under Subsection (b), the commission or administrator shall:</p> <ol style="list-style-type: none"> (1) suspend for a period of five days the license or permit of a person convicted of a first offense under Subsection (a); (2) suspend for a period of 60 days the license or permit of a person convicted of a second offense under Subsection (a); and (3) cancel the license or permit of a person convicted of a third offense under Subsection (a). <p>(d) This section does not apply to a gift or benefit given for a dance at a wedding, anniversary, or similar event.</p> <p>(e) A person does not commit an offense under Subsection (a) if the person younger than 18 years of age falsely represents the person’s age to be at least 18 years of age by displaying an apparently valid Texas driver’s license or an identification card issued by the Department of Public Safety containing a physical description consistent with the person’s appearance.</p> <p><i>[Statutory Authority: Section 106.15, Alcoholic Beverage Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Appraiser Licensing and Certification Board	
<p>Appraiser licenses and certificates (generally)</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalties • Criminal penalties 	<p>(a) The board may impose an administrative penalty under Section 1103.518(2)(H) [relating to action after hearing; authorizing an administrative law judge to impose an administrative penalty after a contested case hearing] in an amount not to exceed:</p> <p style="padding-left: 20px;">(1) \$1,500 for each violation; or (2) \$5,000 for multiple violations proved in one contested case.</p> <p><i>[Statutory Authority: Section 1103.552, Occupations Code]</i></p> <p>(a) A certified or licensed appraiser who files against another certified or licensed appraiser a complaint that the board determines by the board to be frivolous is liable for a civil penalty.</p> <p>(b) The amount of a civil penalty imposed under this section may not be less than \$1,000 or more than \$10,000.</p> <p><i>[Statutory Authority: Section 1103.553, Occupations Code]</i></p> <p>(a) A person who receives consideration for engaging in an activity for which a certificate or license is required under this chapter and who does not hold a certificate or license is liable for a civil penalty.</p> <p>(b) The amount of a civil penalty imposed under this section may not be less than the amount of money equal to the value of the consideration received or more than three times the amount of money equal to the value of the consideration received.</p> <p><i>[Statutory Authority: Section 1103.5535, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly:</p> <p style="padding-left: 20px;">(1) provides false information in connection with a required affidavit filed under Section 1103.205 [Fulfillment of Experience Requirements]; or</p> <p style="padding-left: 20px;">(2) violates Section 1103.401 [Use of Insignia or Identification].</p> <p>(b) An offense under this section is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 1103.554, Occupations Code]</i></p> <p>(a) A person commits an offense if the person engages in an activity for which a certificate or license is required under this chapter without holding a certificate or license.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 1103.5545, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Board of Architectural Examiners	
<p>Architect, landscape architect, and interior designer registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty on a person who engages in conduct for which the person is subject to disciplinary action under this subtitle [Subtitle B. Regulation of Architecture and Related Practices], regardless of whether the person holds a certificate of registration issued under this subtitle. <i>[Statutory Authority: Section 1051.451, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$5,000.</p> <p>(b) In determining the amount of a penalty, the board shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the conduct that is the ground for imposing the penalty, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any relevant act or omission; and (B) the hazard or potential hazard created to the health or safety of the public; (2) the economic damage to property caused by the conduct; (3) the history of previous grounds for imposing a penalty on the person who engaged in the conduct; (4) the amount necessary to deter future conduct that is a ground for imposing a penalty; (5) efforts to correct the conduct that is a ground for imposing a penalty; and (6) any other matter that justice may require. <p>(c) The board by rule shall adopt an administrative penalty schedule for violations of this subtitle or board rules to ensure that the amounts of penalties imposed are appropriate to the violation. The board must provide the administrative penalty schedule to the public on request. <i>[Statutory Authority: Section 1051.452, Occupations Code]</i></p>
<p>Architect registration</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person, whether acting independently or on behalf of the person’s firm, commits a violation if, in violation of this chapter, the person:</p> <ol style="list-style-type: none"> (1) engages in the practice of architecture, or offers or attempts to engage in the practice of architecture; (2) prepares architectural plans or specifications for and observes or supervises the construction, enlargement, or alteration of a building for another person; or (3) advertises or puts out a sign, card, or drawing designating the person as an architect or architectural designer or uses another business or professional title that uses a form of the word “architect.” <p>(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$250 and not more than \$1,000. Each day of violation is a separate offense. <i>[Statutory Authority: Section 1051.801, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Interior designer registration <ul style="list-style-type: none"> • Criminal penalty 	(a) A person commits an offense if the person knowingly violates Section 1053.151 [Registration Required] or a standard of conduct adopted under this chapter. (b) An offense under this section is a <i>Class C misdemeanor</i> . <i>[Statutory Authority: Section 1053.351, Occupations Code]</i>
Texas Department of Banking	
Money services business license <ul style="list-style-type: none"> • Administrative penalty 	(a) After notice and hearing, the commissioner may assess an administrative penalty against a person that: <ol style="list-style-type: none"> (1) has violated this chapter or a rule adopted or order issued under this chapter and has failed to correct the violation not later than the 30th day after the date the department sends written notice of the violation to the person; (2) if the person is a license holder, has engaged in conduct specified in Section 151.703 [Suspension and Revocation of License]; (3) has engaged in a pattern of violations; or (4) has demonstrated wilful disregard for the requirements of this chapter, the rules adopted under this chapter, or an order issued under this chapter. (b) A violation corrected after a person receives written notice from the department of the violation may be considered for purposes of determining whether a person has engaged in a pattern of violations under Subsection (a)(3) or demonstrated wilful disregard under Subsection (a)(4). (c) The amount of the penalty may not exceed \$5,000 for each violation or, in the case of a continuing violation, \$5,000 for each day that the violation continues . Each transaction in violation of this chapter and each day that a violation continues is a separate violation. (d) In determining the amount of the penalty, the commissioner shall consider factors that include the seriousness of the violation, the person’s compliance history, and the person’s good faith in attempting to comply with this chapter, provided that if the person is found to have demonstrated wilful disregard under Subsection (a)(4), the trier of fact shall recommend that the commissioner impose the maximum administrative penalty permitted under Subsection (c). <i>[Statutory Authority: Section 151.707, Finance Code]</i>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person:</p> <p>(1) intentionally makes a false statement, misrepresentation, or certification in a record or application filed with the department or required to be maintained under this chapter or a rule adopted or order issued under this chapter, or intentionally makes a false entry or omits a material entry in the record or application; or</p> <p>(2) knowingly engages in an activity for which a license is required under Subchapter D [Money Transmission License] without being licensed under this chapter.</p> <p>(b) An offense under this section is a <i>felony of the third degree</i>.</p> <p><i>[Statutory Authority: Section 151.708, Finance Code]</i></p>
<p>Perpetual care cemetery certificate of authority</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>(a) After notice and opportunity for hearing, the commissioner may impose an administrative penalty on a person who:</p> <p>(1) violates this chapter or a final order of the commissioner or rule of the Finance Commission of Texas and does not correct the violation before the 31st day after the date the person receives written notice of the violation from the banking department; or</p> <p>(2) engages in a pattern of violations, as determined by the commissioner.</p> <p>(b) The amount of the penalty for each violation <i>may not exceed \$1,000 for each day the violation occurs</i>.</p> <p>(c) In determining the amount of the penalty, the commissioner shall consider the seriousness of the violation, the person's history of violations, and the person's good faith in attempting to comply with this chapter. The imposition of a penalty under this section is subject to judicial review as a contested case under Chapter 2001, Government Code. The commissioner may collect the penalty in the same manner that a money judgment is enforced in district court.</p> <p><i>[Statutory Authority: Section 712.0441, Health and Safety Code]</i></p> <p>(a) A person who is an individual, firm, association, corporation, or municipality, or an officer, agent, or employee of an individual, firm, association, corporation, or municipality, commits an offense if the person sells, offers to sell, or advertises for sale an interment right in a plot and, before a fund is established for the cemetery in which the plot is located as provided by this chapter, represents that the plot is under perpetual care. An offense under this subsection is a <i>Class A misdemeanor</i>. This subsection does not prevent an aggrieved party or the attorney general from maintaining a civil action for the recovery of damages caused by an injury resulting from an offense under this subsection.</p> <p>(b) A person who is an individual, firm, association, corporation, or municipality, or an officer, agent, or employee of an individual, firm, association, corporation, or municipality, commits an offense if the person knowingly defalcates or misappropriates assets of a fund. An offense under this subsection is <i>punishable as if it were an offense under Section 32.45, Penal Code</i> [Misapplication of Fiduciary Property or Property of a Financial Institution].²</p> <p><i>[Statutory Authority: Section 712.048, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Prepaid funeral contract seller permit</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalties 	<p>(a) After notice and opportunity for hearing, the commissioner may impose an administrative penalty on a person who:</p> <ol style="list-style-type: none"> (1) violates this chapter or a final order of the commissioner or rule of the commission and does not correct the violation before the 31st day after the date the person receives written notice of the violation from the department; or (2) engages in a pattern of violations, as determined by the commissioner. <p>(b) The amount of the penalty for each violation may not exceed \$1,000 for each day the violation occurs.</p> <p>(c) In determining the amount of the penalty, the commissioner shall consider the seriousness of the violation, the person’s history of violations, and the person’s good faith in attempting to comply with this chapter. <i>[Statutory Authority: Section 154.406, Finance Code]</i></p> <p>(a) Except as provided by Section 154.402 [Criminal Penalty Relating to Deposit or Withdrawal of Money], an officer, director, agent, or employee of a seller commits an offense if the person:</p> <ol style="list-style-type: none"> (1) makes or attempts to make a contract in violation of this chapter; (2) refuses to allow an inspection of the seller’s records relating to the sale of prepaid funeral benefits; (3) engages in fraud, deception, misrepresentation, or another dishonest practice in the sale of a contract subject to this chapter; or (4) otherwise violates this chapter. <p>(b) An offense under this section for which a penalty is not expressly provided by this subchapter is punishable by:</p> <ol style="list-style-type: none"> (1) a fine of not less than \$100 or more than \$500; (2) confinement in the county jail for a term of not less than one month or more than six months; or (3) both the fine and confinement. <p>(c) Each violation of this chapter is a separate offense and shall be prosecuted individually. <i>[Statutory Authority: Section 154.401, Finance Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) fails to deposit money in compliance with this chapter; or (2) withdraws money in a manner inconsistent with this chapter. <p>(b) An offense under this section is punishable as if it were an offense under Section 32.45, Penal Code [Misapplication of Fiduciary Property or Property of a Financial Institution].² <i>[Statutory Authority: Section 154.402, Finance Code]</i></p> <p>(a) An officer of a seller commits an offense if the officer fails or refuses to file an annual report required by Section 154.052 [Annual Report] before the 31st day after the date the officer is notified by the department of the requirement.</p> <p>(b) An offense under this section is a misdemeanor and is punishable as provided by Section 154.401 [see above]. <i>[Statutory Authority: Section 154.403, Finance Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A seller or a person acting on behalf of a seller commits an offense if the seller or person:</p> <ol style="list-style-type: none"> (1) collects money under a prepaid funeral benefits contract; and (2) fails to deliver the money to a designated agent of the seller before the 31st day after the date it is collected. <p>(b) An offense under this section is <i>punishable as if it were an offense under Section 32.45, Penal Code</i> [Misapplication of Fiduciary Property or Property of a Financial Institution].² <i>[Statutory Authority: Section 154.404, Finance Code]</i></p> <p>(a) A designated agent of a seller commits an offense if the agent fails to deposit money collected under a prepaid funeral benefits contract before the 31st day after the date it is received by the agent.</p> <p>(b) It is an exception to the application of this section that the failure to make a deposit is inadvertent and is corrected before the 11th day after the date the seller discovers the failure.</p> <p>(c) An offense under this section is <i>punishable as if it were an offense under Section 32.45, Penal Code</i> [Misapplication of Fiduciary Property or Property of a Financial Institution].² <i>[Statutory Authority: Section 154.405, Finance Code]</i></p>
Texas Board of Chiropractic Examiners	
<p>Chiropractic licenses</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalties 	<p>The board may impose an administrative penalty on a person licensed or regulated under this chapter if the person violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 201.551, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty <i>may not exceed \$1,000.</i></p> <p>(b) Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. <i>[Statutory Authority: Section 201.552, Occupations Code]</i></p> <p>(a) A person who violates this chapter or a rule adopted by the board under this chapter is liable to the state for a civil penalty of <i>\$1,000 for each day of violation.</i> <i>[Statutory Authority: Section 201.603, Occupations Code]</i></p> <p>A person commits an offense if the person violates this chapter. An offense under this section is a misdemeanor punishable by a <i>fine of not less than \$50 or more than \$500 or by confinement in the county jail for not more than 30 days.</i> <i>[Statutory Authority: Section 201.604, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person violates Section 201.301 [License Required].</p> <p>(b) Except as provided by Subsection (c), an offense under this section is a <i>Class A misdemeanor</i>.</p> <p>(c) If it is shown on the trial of the offense that the defendant has been previously convicted under Subsection (a), the offense is a <i>felony of the third degree</i>.</p> <p>(d) Each day of violation constitutes a separate offense. <i>[Statutory Authority: Section 201.605, Occupations Code]</i></p> <p>(a) In this section, “intoxicated” has the meaning assigned by Section 49.01, Penal Code.</p> <p>(b) A person commits an offense if the person is licensed or regulated under this chapter, provides chiropractic treatment or services to a patient while intoxicated, and, by reason of that conduct, places the patient at a substantial and unjustifiable risk of harm.</p> <p>(c) An offense under this section is a <i>state jail felony</i>. <i>[Statutory Authority: Section 201.606, Occupations Code]</i></p>
Office of Consumer Credit Commissioner	
<p>Pawnshop license; pawnshop employee license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commissioner may assess an administrative penalty against a person who violates this chapter or a rule adopted under this chapter.</p> <p>(b) The commissioner may assess the administrative penalty in an amount <i>not to exceed \$1,000</i>.</p> <p>(c) Each day a violation continues or occurs may be considered a separate violation for purposes of this section. The aggregate amount of penalties that may be assessed under this section against a person during one calendar year <i>may not exceed \$10,000</i> for violations an element of which occurred at the same business location.</p> <p>(d) In determining the amount of a penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited act; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 371.303, Finance Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person who violates Section 371.051 [Pawnshop License Required] commits an offense.</p> <p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) accepts employment at a pawnshop writing pawn transactions; and (2) does not comply with Section 371.101(a) [requiring a pawnshop employee to apply for a pawnshop employee license not later than 75 days after the date employment begins]. <p>(c) A person commits an offense if the person continues employment at a pawnshop after:</p> <ol style="list-style-type: none"> (1) the person’s application for a pawnshop employee license is denied; or (2) the person’s pawnshop employee license has expired or has been revoked, suspended, or surrendered. <p>(d) Except as provided by Subsection (e), an offense under this section is a Class B misdemeanor.</p> <p>(e) An offense under Subsection (a) is a misdemeanor punishable by:</p> <ol style="list-style-type: none"> (1) a fine not to exceed \$10,000; (2) confinement in county jail for a term not to exceed one year; or (3) both the fine and confinement. <p><i>[Statutory Authority: Section 371.304, Finance Code]</i></p>
<p>Refund anticipation loan facilitator registration</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The commissioner may assess an administrative penalty of \$500 against a person for each knowing and wilful violation of this chapter.</p> <p><i>[Statutory Authority: Section 351.007, Finance Code]</i></p> <p>(a) A person commits an offense if the person engages in a business that is subject to Chapter 342 [Consumer Loans], 346 [Revolving Credit Accounts], or 351 [Tax Refund Anticipation Loans] without holding the license or other authorization required under that chapter.</p> <p>(b) An offense under this section is a misdemeanor punishable by a fine of not more than \$1,000.</p> <p>(c) Each loan made without the required authority by Chapter 342, 346, or 351 is a separate offense.</p> <p><i>[Statutory Authority: Section 349.502, Finance Code]</i></p>
<p>Regulated loan license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person engages in a business that is subject to Chapter 342 [Consumer Loans], 346, or 351 without holding the license or other authorization required under that chapter.</p> <p>(b) An offense under this section is a misdemeanor punishable by a fine of not more than \$1,000.</p> <p>(c) Each loan made without the required authority by Chapter 342, 346, or 351 is a separate offense.</p> <p><i>[Statutory Authority: Section 349.502, Finance Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person violates this subtitle [Subtitle D. Dentistry].</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p>(c) A violation under this section does not include a violation to which Section 262.203 [Criminal Penalty; relating to dental hygienists] applies.</p> <p>(d) If it is shown at the trial of an offense under this section that the defendant was previously convicted under this section or if the offense involves practicing without an appropriate board license, the offense is a <i>felony of the third degree</i>.</p> <p>(e) Each day of a violation is a separate offense.</p> <p><i>[Statutory Authority: Section 264.151, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates Section 258.0511 [Access to Dental Records].</p> <p>(b) Notwithstanding Section 264.151 [Criminal Penalty], an offense under this section is a <i>Class B misdemeanor</i>.</p> <p>(c) If it is shown at the trial of an offense under this section that the defendant was previously convicted under this section, the offense is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 264.152, Occupations Code]</i></p>
<p>Dental hygienist license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person violates a provision of this chapter or Chapter 256 [Licensing of Dentists and Dental Hygienists] relating to the regulation of dental hygienists.</p> <p>(b) An offense under Subsection (a) is punishable by:</p> <p style="padding-left: 20px;">(1) <i>a fine of not less than \$100 or more than \$1,000;</i></p> <p style="padding-left: 20px;">(2) <i>confinement in jail for not less than one month or more than one year; or</i></p> <p style="padding-left: 20px;">(3) <i>both the fine and confinement.</i></p> <p>(c) Each day of a violation under this section is a separate offense.</p> <p><i>[Statutory Authority: Section 262.203, Occupations Code]</i></p>
<p>Dental laboratory registration</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person:</p> <p style="padding-left: 20px;">(1) is a dentist and provides a dental laboratory service without being exempt under Section 266.002(2); or</p> <p style="padding-left: 20px;">(2) violates Section 266.151 [Registration Required] or 266.301 [Dental Prosthetic Appliance].</p> <p>(b) An offense for a violation of Section 266.151 or Section 266.301(b) is a <i>felony of the third degree</i>.</p> <p>(c) An offense for a violation of Section 266.301(c) or (d) [Dental Prosthetic Appliance] is a <i>Class C misdemeanor</i>. If it is shown on the trial of an offense under this section that the defendant has previously been convicted for an offense under this subsection, the offense is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 266.303, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(6) violates a provision of Section 341.0351 [Notification of System Changes] or 341.0352 [Advertised Quality of Water Supply]; (7) fails to remove a sign as required by Section 341.0354 [Highway Signs for Approved System Rating]; or (8) violates a provision of Section 341.036 [Sanitary Defects at Public Drinking Water Supply Systems]. (b) An offense under Subsection (a) is a Class C misdemeanor. (c) If it is shown on a trial of the defendant that the defendant has been convicted of such an offense within a year before the date on which the offense being tried occurred, the subsequent offense is a Class B misdemeanor. (d) Each day of a continuing violation is a separate offense. <i>[Statutory Authority: Section 341.047, Health and Safety Code]</i></p>
<p>Landscape irrigation installer license or landscape irrigator license</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>(a) The amount of the penalty for a violation of Chapter 37 of this code, Chapter 366, 371, or 372, Health and Safety Code, or Chapter 1903, Occupations Code [Irrigators], may not exceed \$2,500 a day for each violation. Each day that a continuing violation occurs may be considered a separate violation. <i>[Statutory Authority: Section 7.052, Water Code]</i></p> <p>A person who causes, suffers, allows, or permits a violation of a statute, rule, order, or permit relating to Chapter 37 of this code, Chapter 366, 371, or 372, Health and Safety Code, Subchapter G, Chapter 382, Health and Safety Code, or Chapter 1903, Occupations Code, shall be assessed for each violation a civil penalty not less than \$50 nor greater than \$5,000 for each day of each violation as the court or jury considers proper. A person who causes, suffers, allows, or permits a violation of a statute, rule, order, or permit relating to any other matter within the commission’s jurisdiction to enforce, other than violations of Chapter 11, 12, 13, 16, or 36 of this code, or Chapter 341, Health and Safety Code, shall be assessed for each violation a civil penalty not less than \$50 nor greater than \$25,000 for each day of each violation as the court or jury considers proper. Each day of a continuing violation is a separate violation. <i>[Statutory Authority: Section 7.102, Water Code]</i></p>
<p>On-site sewage facility licenses and registrations</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commission may assess an administrative penalty against a person as provided by this subchapter if:</p> <ol style="list-style-type: none"> (1) the person violates: <ol style="list-style-type: none"> (A) a provision of this code or of the Health and Safety Code that is within the commission’s jurisdiction; (B) a rule adopted or order issued by the commission under a statute within the commission’s jurisdiction; or (C) a permit issued by the commission under a statute within the commission’s jurisdiction; and (2) a county, political subdivision, or municipality has not instituted a lawsuit and is not diligently prosecuting that lawsuit under Subchapter H against the same person for the same violation. <p><i>[Statutory Authority: Section 7.051, Water Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) The amount of the penalty for a violation of Chapter 37 of this code, <i>Chapter 366 [On-Site Sewage Disposal Systems]</i>, 371, or 372, Health and Safety Code, or Chapter 1903, Occupations Code, <i>may not exceed \$2,500 a day for each violation.</i> <i>[Statutory Authority: Section 7.052, Water Code]</i></p> <p>A person who causes, suffers, allows, or permits a violation of a statute, rule, order, or permit relating to Chapter 37 of this code, <i>Chapter 366</i>, 371, or 372, <i>Health and Safety Code [On-Site Sewage Disposal Systems]</i>, Subchapter G, Chapter 382, Health and Safety Code, or Chapter 1903, Occupations Code, shall be assessed for each violation a civil penalty <i>not less than \$50 nor greater than \$5,000 for each day of each violation as the court or jury considers proper.</i> A person who causes, suffers, allows, or permits a violation of a statute, rule, order, or permit relating to any other matter within the commission’s jurisdiction to enforce, other than violations of Chapter 11, 12, 13, 16, or 36 of this code, or Chapter 341, Health and Safety Code, shall be assessed for each violation a civil penalty not less than \$50 nor greater than \$25,000 for each day of each violation as the court or jury considers proper. Each day of a continuing violation is a separate violation. <i>[Statutory Authority: Section 7.102, Water Code]</i></p>
<p>Texas Department of Family and Protective Services</p>	
<p>Licenses and registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department may impose an administrative penalty against a facility or family home licensed or registered under this chapter that violates this chapter or a rule or order adopted under this chapter. In addition, the department may impose an administrative penalty against a residential child-care facility or a controlling person of a residential child-care facility if the facility or controlling person:</p> <ol style="list-style-type: none"> (1) violates a term of a license or registration issued under this chapter; (2) makes a statement about a material fact that the facility or person knows or should know is false: <ol style="list-style-type: none"> (A) on an application for the issuance of a license or registration or an attachment to the application; or (B) in response to a matter under investigation; (3) refuses to allow a representative of the department to inspect: <ol style="list-style-type: none"> (A) a book, record, or file required to be maintained by the facility; or (B) any part of the premises of the facility; (4) purposefully interferes with the work of a representative of the department or the enforcement of this chapter; or (5) fails to pay a penalty assessed under this chapter on or before the date the penalty is due, as determined under this section. <p>(a-1) Nonmonetary, administrative penalties or remedies, including but not limited to corrective action plans, probation, and evaluation periods, shall be imposed when appropriate before monetary penalties.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority																												
	<p>(b) Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The penalty for a violation may be in <i>an amount not to exceed the following limits, based on the maximum number of children for whom the facility or family home was authorized to provide care or the number of children under the care of the child-placing agency when the violation occurred:</i></p> <p><i>(1) for violations that occur in a facility other than a residential child-care facility:</i></p> <table border="0" data-bbox="682 451 1318 695"> <thead> <tr> <th><u>Number of children</u></th> <th><u>Maximum amount of penalty</u></th> </tr> </thead> <tbody> <tr> <td><i>20 or less</i></td> <td><i>\$50</i></td> </tr> <tr> <td><i>21-40</i></td> <td><i>\$60</i></td> </tr> <tr> <td><i>41-60</i></td> <td><i>\$70</i></td> </tr> <tr> <td><i>61-80</i></td> <td><i>\$80</i></td> </tr> <tr> <td><i>81-100</i></td> <td><i>\$100</i></td> </tr> <tr> <td><i>More than 100</i></td> <td><i>\$150</i></td> </tr> </tbody> </table> <p><i>(2) for violations that occur in a residential child-care facility:</i></p> <table border="0" data-bbox="682 743 1318 987"> <thead> <tr> <th><u>Number of children</u></th> <th><u>Maximum amount of penalty</u></th> </tr> </thead> <tbody> <tr> <td><i>20 or less</i></td> <td><i>\$100</i></td> </tr> <tr> <td><i>21-40</i></td> <td><i>\$150</i></td> </tr> <tr> <td><i>41-60</i></td> <td><i>\$200</i></td> </tr> <tr> <td><i>61-80</i></td> <td><i>\$250</i></td> </tr> <tr> <td><i>81-100</i></td> <td><i>\$375</i></td> </tr> <tr> <td><i>More than 100</i></td> <td><i>\$500</i></td> </tr> </tbody> </table> <p>(c) In addition to the number of children, the amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 42.078, Human Resources Code]</i></p>	<u>Number of children</u>	<u>Maximum amount of penalty</u>	<i>20 or less</i>	<i>\$50</i>	<i>21-40</i>	<i>\$60</i>	<i>41-60</i>	<i>\$70</i>	<i>61-80</i>	<i>\$80</i>	<i>81-100</i>	<i>\$100</i>	<i>More than 100</i>	<i>\$150</i>	<u>Number of children</u>	<u>Maximum amount of penalty</u>	<i>20 or less</i>	<i>\$100</i>	<i>21-40</i>	<i>\$150</i>	<i>41-60</i>	<i>\$200</i>	<i>61-80</i>	<i>\$250</i>	<i>81-100</i>	<i>\$375</i>	<i>More than 100</i>	<i>\$500</i>
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<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person is subject to a civil penalty of <i>not less than \$50 nor more than \$100 for each day of violation and for each act of violation</i> if the person:</p> <ol style="list-style-type: none"> (1) threatens serious harm to a child in a facility or family home by violating a provision of this chapter or a department rule or standard; 																												

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(2) violates a provision of this chapter or a department rule or standard three or more times within a 12-month period; or (3) places a public advertisement for an unlicensed facility or an unlisted or unregistered family home.</p> <p>(b) The civil penalty authorized by this section is cumulative and in addition to the criminal penalties and injunctive relief provided by this chapter.</p> <p><i>[Statutory Authority: Section 42.075, Human Resources Code]</i></p> <p>(a) A person who operates a child-care facility or child-placing agency without a license commits a Class B misdemeanor. (b) A person who operates a family home without a required listing or registration commits a Class B misdemeanor. (c) A person who places a public advertisement for an unlicensed facility or an unlisted or unregistered family home commits a Class C misdemeanor. (d) It is not an offense under this section if a professional provides legal or medical services to: (1) a parent who identifies the prospective adoptive parent and places the child for adoption without the assistance of the professional; or (2) a prospective adoptive parent who identifies a parent and receives placement of a child for adoption without assistance of the professional.</p> <p><i>[Statutory Authority: Section 42.076, Human Resources Code]</i></p> <p>(i) A director, owner, or operator of a day-care center commits an offense if the director, owner, or operator knowingly: (1) fails to submit to the department information about a person as required by this section and department rules for use in conducting background and criminal history checks with respect to the person; and (2) employs the person at the day-care center or otherwise allows the person to regularly or frequently stay or work at the day-care center while children are being provided care. (j) A director, owner, or operator of a day-care center commits an offense if, after the date the director, owner, or operator receives notice from the department that, based on the results of a person’s background or criminal history check, the person is precluded from being present at the day-care center, the director, owner, or operator knowingly: (1) employs the person at the day-care center; or (2) otherwise allows the person to regularly or frequently stay or work at the day-care center while children are being provided care. (k) An offense under Subsection (i) or (j) is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 42.056, Human Resources Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Child-care administrator license or child-placing agency administrator license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>A person who serves as a child-care or child-placing agency administrator without the license required by this chapter commits a Class C misdemeanor. <i>[Statutory Authority: Section 43.012, Human Resources Code]</i></p>
<p>Day-care center license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) An owner or operator of a day-care center commits an offense if the owner or operator knowingly operates the day-care center:</p> <ol style="list-style-type: none"> (1) without a director who meets the qualifications of a director prescribed by department rules; or (2) without the routine presence during the day-care center's hours of operation of a director described by Subdivision (1). <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 42.0761, Human Resources Code]</i></p>
<p>Maternity home license</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who violates this chapter or who fails to comply with a rule adopted under this chapter is liable for a civil penalty of not less than \$100 or more than \$10,000 for each violation if the department determines the violation threatens the health and safety of a patient.</p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery. <i>[Statutory Authority: Section 249.012, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates Section 249.002(a) [License Required].</p> <p>(b) An offense under this section is punishable by a fine of not more than \$1,000 for the first offense and not more than \$500 for each subsequent offense.</p> <p>(c) Each day of a continuing violation constitutes a separate offense. <i>[Statutory Authority: Section 249.011, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Commission on Fire Protection	
<p>Fire service individual or facility certification</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>(a) In addition to other penalties imposed by law, a person who violates this chapter or a rule adopted under this chapter is subject to an administrative penalty in an amount set by the commission not to exceed \$1,000 for each violation. In addition to the administrative penalty, the person must pay costs incurred by the attorney general’s office under this subsection. The administrative penalty shall be assessed in a proceeding conducted in accordance with Chapter 2001 [Administrative Procedure]. <i>[Statutory Authority: Section 419.906, Government Code]</i></p> <p>(b) The attorney general or the commission may institute a suit for an injunction to enforce this chapter. Venue for the suit is in a district court in Travis County. The court may also award the commission a civil penalty not to exceed \$1,000 for each violation of this chapter or a rule adopted under this chapter, plus court costs, reasonable attorney fees, and costs incurred by the commission or the attorney general’s office under this subsection. <i>[Statutory Authority: Section 419.906, Government Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) accepts an appointment in violation of Section 419.032 [Appointment of Fire Protection Personnel] or 419.037 [Appointment as Marine Fire Protection Personnel]; (2) knowingly accepts an appointment in violation of Section 419.038 [Appointment to Aircraft Fire Fighting and Rescue Fire Protection Personnel Position]; (3) appoints or retains a person in violation of Section 419.032; or (4) appoints a person in violation of Section 419.037 or 419.038. <p>(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$100 nor more than \$1,000. <i>[Statutory Authority: Section 419.039, Government Code]</i></p>
Texas Funeral Service Commission	
<p>Funeral services licenses</p> <ul style="list-style-type: none"> • Administrative penalties 	<p>(a) The commission may assess an administrative penalty against a person regulated under this chapter if the commission determines that the person has violated this chapter or a rule adopted under this chapter. <i>[Statutory Authority: Section 651.551, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) The amount of the administrative penalty shall be <i>not less than \$100 or more than \$5,000 for each violation</i>.</p> <p>(b) In determining the amount of the penalty, the commission shall base its decision on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the threat the violation poses to health and safety; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts made to correct the violation; (6) the guidelines adopted under Section 651.5515; and (7) any other matter that justice requires. <p><i>[Statutory Authority: Section 651.552, Occupations Code]</i></p> <p>For purposes of this subchapter, a person regulated under this chapter that violates Chapter 716, Health and Safety Code [Crematories], violates this chapter.</p> <p><i>[Statutory Authority: Section 651.559, Occupations Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) acts or holds the person out as a funeral director, embalmer, or provisional license holder without being licensed under this chapter; (2) makes a first call in a manner that violates Section 651.401 [First Call]; (3) is a funeral director, embalmer, or provisional license holder and engages in a funeral practice that violates this chapter or a rule adopted under this chapter; or (4) violates Chapter 154, Finance Code [Prepaid Funeral Services], or a rule adopted under that chapter, regardless of whether the Texas Department of Banking or another governmental agency takes action relating to the violation. <p>(b) An offense under this section is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 651.602, Occupations Code]</i></p>
Texas Board of Professional Geoscientists	
<p>Geoscientist license or geoscientist firm registration</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty against a person licensed under this chapter or any other person who violates this chapter or a rule adopted or order issued under this chapter.</p> <p><i>[Statutory Authority: Section 1002.451, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) The board may include in the amount of the administrative penalty the actual costs of investigating and prosecuting for a specific violation.</p> <p>(b) The amount of the penalty may not exceed \$100 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(c) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited acts; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts or resistance to efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 1002.452, Occupations Code]</i></p>
Texas Department of State Health Services	
<i>General Health</i>	
<p>Youth camp license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commissioner may assess an administrative penalty if a person violates this Act [the Texas Youth Camp Safety and Health Act] or a rule or order adopted or license issued under this Act.</p> <p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the person’s previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; (4) the person’s demonstrated good faith; and (5) such other matters as justice may require. <p>(c) The penalty may not exceed \$1,000 a day for each violation.</p> <p>(d) Each day a violation continues may be considered a separate violation.</p> <p><i>[Statutory Authority: Section 141.016, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person who violates this chapter or a rule or order adopted under this chapter is subject to a civil penalty of <i>not less than \$50 or more than \$1,000 for each act of violation.</i> <i>[Statutory Authority: Section 141.015, Health and Safety Code]</i></p>
<p>Renderers license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>(a) The commissioner may assess an administrative penalty against a person who violates this chapter, a rule adopted by the board under the authority of this chapter, or an order or license issued under this chapter. (b) In determining the amount of the penalty, the commissioner shall consider: (1) the person’s previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; (4) the person’s demonstrated good faith; and (5) such other matters as justice may require. (c) The penalty <i>may not exceed \$25,000 a day for each violation.</i> (d) Each day a violation continues may be considered a separate violation. <i>[Statutory Authority: Section 144.081, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person continues any operation or construction subject to regulation under this chapter without obtaining and maintaining an operating license or construction permit. (b) An offense under this section is a <i>misdemeanor punishable by:</i> <i>(1) a fine of not less than \$50 or more than \$500;</i> <i>(2) confinement in the county jail for not more than 30 days; or</i> <i>(3) both the fine and confinement.</i> (c) Each day of violation constitutes a separate offense. <i>[Statutory Authority: Section 144.080, Health and Safety Code]</i></p>
<p>Tattoo and certain body piercing studio licenses</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commissioner may impose an administrative penalty against a person who violates a rule adopted under Section 146.007 [Compliance with Chapter and Rules] or an order adopted or license issued under this chapter. (b) The penalty for a violation may be in an amount <i>not to exceed \$5,000.</i> Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(b) A hospital that violates Subsection (a), another provision of this chapter, or a rule adopted or enforced under this chapter is liable for a civil penalty of not more than \$1,000 for each day of violation and for each act of violation. A hospital that violates this chapter or a rule or order adopted under this chapter relating to the provision of mental health, chemical dependency, or rehabilitation services is liable for a civil penalty of not more than \$25,000 for each day of violation and for each act of violation.</p> <p>(c) In determining the amount of the penalty, the district court shall consider:</p> <ol style="list-style-type: none"> (1) the hospital’s previous violations; (2) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (3) whether the health and safety of the public was threatened by the violation; (4) the demonstrated good faith of the hospital; and (5) the amount necessary to deter future violations. <p><i>[Statutory Authority: Section 241.055, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person establishes, conducts, manages, or operates a hospital without a license.</p> <p>(b) An offense under this section is a misdemeanor punishable by a fine of not more than \$100 for the first offense and not more than \$200 for each subsequent offense.</p> <p>(c) Each day of a continuing violation constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 241.057, Health and Safety Code]</i></p>
<p>Ambulatory surgical center license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. A penalty collected under this section or Section 243.016 [Payment and Collection of Administrative Penalty; Judicial Review] shall be deposited in the state treasury in the general revenue fund.</p> <p>(c) The amount of the penalty may not exceed \$1,000 for each violation, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection may not exceed \$5,000.</p> <p>(d) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the threat to health or safety caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) whether the violator demonstrated good faith, including when applicable whether the violator made good faith efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 243.015, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who violates this chapter or who fails to comply with a rule adopted under this chapter is liable for a civil penalty of <i>not less than \$100 or more than \$500 for each violation if the department determines the violation threatens the health and safety of a patient.</i></p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery. <i>[Statutory Authority: Section 243.014, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates Section 243.003(a) [prohibiting the establishment or operation of an ambulatory surgical center without a license].</p> <p>(b) An offense under this section is a <i>Class C misdemeanor.</i></p> <p>(c) Each day of a continuing violation constitutes a separate offense. <i>[Statutory Authority: Section 243.013, Health and Safety Code]</i></p>
<p>Birth center license</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>(a) The department may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. A penalty collected under this section or Section 244.016 [Payment and Collection of Administrative Penalty; Judicial Review] shall be deposited in the state treasury in the general revenue fund.</p> <p>(c) The amount of the penalty <i>may not exceed \$1,000 for each violation</i>, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection <i>may not exceed \$5,000.</i></p> <p>(d) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the threat to health or safety caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) whether the violator demonstrated good faith, including when applicable whether the violator made good faith efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 244.015, Health and Safety Code]</i></p> <p>(a) A person who violates this chapter or who fails to comply with a rule adopted under this chapter is liable for a civil penalty of <i>not less than \$100 or more than \$500 for each violation if the department determines the violation threatens the health and safety of a patient.</i></p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery. <i>[Statutory Authority: Section 244.014, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person violates Section 244.003(a) [License Required].</p> <p>(b) An offense under this section is a <i>Class C misdemeanor</i>.</p> <p>(c) Each day of a continuing violation constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 244.013, Health and Safety Code]</i></p>
<p>Abortion facility license</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>(a) The department may assess an administrative penalty against a person who violates this chapter or a rule adopted under this chapter.</p> <p>(b) The penalty <i>may not exceed \$1,000 for each violation</i>. Each day of a continuing violation constitutes a separate violation.</p> <p>(c) In determining the amount of an administrative penalty assessed under this section, the department shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts made to correct the violation; and (5) any other matters that justice may require. <p><i>[Statutory Authority: Section 245.017, Health and Safety Code]</i></p> <p>(a) A person who knowingly violates this chapter or who knowingly fails to comply with a rule adopted under this chapter is liable for a civil penalty of <i>not less than \$100 or more than \$500 for each violation if the department determines the violation threatens the health and safety of a patient</i>.</p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery.</p> <p><i>[Statutory Authority: Section 245.015, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates Section 245.003(a) [License Required].</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p>(c) Each day of a continuing violation constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 245.014, Health and Safety Code]</i></p>
<p>Special care facilities</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department of health may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p><i>[Statutory Authority: Section 248.101, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) The amount of the penalty may not exceed \$1,000 for each violation, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection may not exceed \$5,000.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the threat to health or safety caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) whether the violator demonstrated good faith, including when applicable whether the violator made good faith efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 248.102, Health and Safety Code]</i></p> <p>A license holder or person who violates this chapter or a rule adopted by the board under this chapter is liable for a civil penalty, to be imposed by a district court, of not more than \$1,000 for each day of violation. All penalties collected under this section shall be deposited to the credit of the General Revenue Fund.</p> <p><i>[Statutory Authority: Section 248.054, Health and Safety Code]</i></p> <p>(a) A person who knowingly establishes or operates a special care facility without a license issued under this chapter commits an offense.</p> <p>(b) An offense under this section is a Class B misdemeanor.</p> <p>(c) Each day of a continuing violation constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 248.055, Health and Safety Code]</i></p>
<p>End stage renal disease facility license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The department may assess an administrative penalty against a person who violates this chapter or a rule adopted under this chapter.</p> <p>(b) The penalty may not exceed \$1,000 for each violation. Each day of a continuing violation constitutes a separate violation.</p> <p>(c) In determining the amount of an administrative penalty assessed under this section, the department shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts made to correct the violation; and (5) any other matters that justice may require. <p><i>[Statutory Authority: Section 251.066, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who knowingly violates this chapter or who knowingly fails to comply with a rule adopted under this chapter is liable for a civil penalty of not more than \$1,000 for each violation if the department finds that the violation threatens the health and safety of a patient of an end stage renal disease facility.</p> <p>(b) Each day of a continuing violation constitutes a separate ground for recovery.</p> <p><i>[Statutory Authority: Section 251.065, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates Section 251.011 [License Required] or 251.031 [Training Required].</p> <p>(b) An offense under this section is a Class C misdemeanor.</p> <p>(c) Each day of a continuing violation constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 251.064, Health and Safety Code]</i></p>
<p>Bedding permits</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>(a) The department may assess an administrative penalty against a person who violates this chapter or a rule adopted under this chapter.</p> <p>(b) The penalty may not exceed \$25,000 for each violation. Each day of a continuing violation constitutes a separate violation.</p> <p>(c) In determining the amount of an administrative penalty assessed under this section, the department shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts made to correct the violation; and (5) any other matters that justice may require. <p><i>[Statutory Authority: Section 345.101, Health and Safety Code]</i></p> <p>(a) A person commits an offense if a person:</p> <ol style="list-style-type: none"> (1) manufactures, repairs, or renovates: <ol style="list-style-type: none"> (A) bedding using material in violation of rules adopted under Section 345.0055 [Material Used in Bedding]; (B) bedding or batting in violation of Section 345.005 [Materials Obtained From Dump or Junkyard]; (C) bedding using material in violation of Section 345.024 [Germicidal Treatment of Bedding and Materials]; or (D) bedding that does not conform to the label requirements of Subchapter B [Labels]; (2) introduces or delivers for introduction into commerce: <ol style="list-style-type: none"> (A) bedding or batting manufactured, repaired, or renovated in violation of Section 345.005, 345.0055, or 345.024; (B) bedding that does not conform to the label requirements of Subchapter B; or (C) bedding or material the sale of which is prohibited as provided by Section 345.084 [Sale of Bedding or Material Prohibited by Department];

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(3) receives in commerce: (A) bedding or batting manufactured, repaired, or renovated in violation of Section 345.005, 345.0055, or 345.024; (B) bedding that does not conform to the label requirements of Subchapter B; or (C) bedding or material the sale of which is prohibited as provided by Section 345.084; or (4) violates Section 345.041 [Permits], 345.042 [Permit to Apply Germicidal Treatment], or any other provision of this chapter or a rule adopted under this chapter. (b) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 345.087, Health and Safety Code]</i></p>
<p>Radioactive material licenses and mammography systems certification</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalties • Criminal penalties 	<p>(a) The department may assess an administrative penalty as provided by this section and Sections 401.385-401.390 against a person who causes, suffers, allows, or permits a violation of a provision of this chapter relating to an activity under the department’s jurisdiction, a rule or order adopted by the department under this chapter, or a condition of a license or registration issued by the department under this chapter. (b) The penalty for each violation may not exceed \$10,000 a day for a person who violates this chapter or a rule, order, license, or registration issued under this chapter. Each day a violation continues may be considered a separate violation. (c) In determining the amount of the penalty, the department shall consider: (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited acts and the hazard or potential hazard created to the public health or safety; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts to correct the violation; and (5) any other matters that justice requires. <i>[Statutory Authority: Section 401.384, Health and Safety Code]</i></p> <p>(a) A person who causes, suffers, allows, or permits a violation of this chapter, a department rule or order, or a license or registration condition is subject to a civil penalty of not less than \$100 or more than \$25,000 for each violation and for each day that a continuing violation occurs. <i>[Statutory Authority: Section 401.381, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than the offense described by Section 401.383 [Criminal Penalty for Certain Acts Related to Low-Level Radioactive Waste]. (b) An offense under this section is a Class B misdemeanor, unless it is shown on the trial of the person that the person has been previously convicted of an offense under this section, in which event the offense is a Class A misdemeanor. <i>[Statutory Authority: Section 401.382, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person intentionally or knowingly receives, processes, concentrates, stores, transports, or disposes of low-level radioactive waste without a license issued under this chapter.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>, unless it is shown at the trial of the person that the person has been previously convicted of an offense under this section, in which event the offense is punishable by a fine of <i>not less than \$2,000 or more than \$100,000, confinement in the county jail for not more than one year, or both.</i></p> <p><i>[Statutory Authority: Section 401.383, Health and Safety Code]</i></p>
<p>Wholesale distributors of prescription and non-prescription drug licenses</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalties 	<p>(a) The commissioner may assess an administrative penalty against a person who violates Subchapter B [Prohibited Acts] or an order adopted or registration issued under this chapter.</p> <p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the person’s previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; (4) the person’s demonstrated good faith; and (5) such other matters as justice may require. <p>(c) The penalty <i>may not exceed \$25,000 a day for each violation.</i></p> <p>(d) Each day a violation continues may be considered a separate violation.</p> <p><i>[Statutory Authority: Section 431.054, Health and Safety Code]</i></p> <p>(a) At the request of the commissioner, the attorney general or a district, county, or city attorney shall institute an action in district court to collect a civil penalty from a person who has violated Section 431.021 [Prohibited Acts].</p> <p>(b) The civil penalty <i>may not exceed \$25,000 a day for each violation.</i> Each day of violation constitutes a separate violation for purposes of the penalty assessment.</p> <p><i>[Statutory Authority: Section 431.0585, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person violates any of the provisions of Section 431.021 relating to unlawful or prohibited acts. A first offense under this subsection is a <i>Class A misdemeanor</i> unless it is shown on the trial of an offense under this subsection that the defendant was previously convicted of an offense under this subsection, in which event the offense is a <i>state jail felony</i>. In a criminal proceeding under this section, it is not necessary to prove intent, knowledge, recklessness, or criminal negligence of the defendant beyond the degree of culpability, if any, stated in Subsection (a-2) or Section 431.021, as applicable, to establish criminal responsibility for the violation.</p> <p><i>[Statutory Authority: Section 431.059, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person knowingly sells, transfers, or otherwise furnishes a product containing ephedrine to a person 17 years of age or younger, unless:</p> <p>(1) the actor is:</p> <p>(A) a practitioner or other health care provider licensed by this state who has obtained, as required by law, consent to the treatment of the person to whom the product is furnished; or</p> <p>(B) the parent, guardian, or managing conservator of the person to whom the product is furnished;</p> <p>(2) the person to whom the product is furnished has had the disabilities of minority removed for general purposes under Chapter 31, Family Code; or</p> <p>(3) the product is a drug.</p> <p>(b) An offense under this section is a Class C misdemeanor unless it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section, in which event the offense is a Class B misdemeanor.</p> <p>(c) A product containing ephedrine that is not described in Subsection (a)(3) must be labeled in accordance with rules adopted by the Texas Department of Health to indicate that sale to persons 17 years of age or younger is prohibited.</p> <p><i>[Statutory Authority: Section 431.022, Health and Safety Code]</i></p>
<p>Salvage broker/operator</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>(a) The commissioner may assess an administrative penalty against a person who violates a rule adopted under Section 432.011 [Minimum Standards] or an order adopted or license issued under this chapter.</p> <p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <p>(1) the person’s previous violations;</p> <p>(2) the seriousness of the violation;</p> <p>(3) any hazard to the health and safety of the public;</p> <p>(4) the person’s demonstrated good faith; and</p> <p>(5) other matters as justice may require.</p> <p>(c) The penalty may not exceed \$25,000 for each violation. Each day a violation continues is a separate violation.</p> <p><i>[Statutory Authority: Section 432.021, Health and Safety Code]</i></p> <p>(a) If it appears that a person has violated, is violating, or is threatening to violate this chapter or a rule adopted or order issued under this chapter, the commissioner may request the attorney general or a district, county, or municipal attorney of the municipality or county in which the violation has occurred, is occurring, or may occur to institute a civil suit for:</p> <p>(1) an order enjoining the act or an order directing compliance;</p> <p>(2) a permanent or temporary injunction, restraining order, or other appropriate order if the department shows that the person is engaged in or is about to engage in any of the acts;</p> <p>(3) the assessment and recovery of a civil penalty; or</p> <p>(4) both the injunctive relief and civil penalty.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(b) The penalty may be in an amount not to exceed \$25,000 for each violation. Each day a violation continues is a separate violation.</p> <p>(c) In determining the amount of the penalty, the court shall consider:</p> <ol style="list-style-type: none"> (1) the person’s history of previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; (4) the demonstrated good faith of the person charged; and (5) other matters as justice may require. <p><i>[Statutory Authority: Section 432.018, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) operates a salvage establishment or acts as a salvage broker without a license issued under this chapter; or (2) fails to comply with a rule adopted under Section 432.011 [Minimum Standards]. <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 432.019, Health and Safety Code]</i></p>
<p>Milk seller permits³</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person violates this chapter.</p> <p>(b) An offense under this section is punishable by a fine of not less than \$25 or more than \$200.</p> <p>(c) Each violation constitutes a separate offense.</p> <p>(d) The penalty prescribed by this section is subject to either the sanctions prescribed in the Grade A Pasteurized Milk Ordinance for products covered by the ordinance or any civil or administrative penalty or sanction otherwise imposed by Chapter 431 [Texas Food, Drug, and Cosmetic Act] or other law for products not covered by the ordinance.</p> <p><i>[Statutory Authority: Section 435.014, Health and Safety Code]</i></p>
<p>Aquatic life permits (molluscan shellfish and crabmeat)³</p> <ul style="list-style-type: none"> • Administrative penalties 	<p>(a) The director may assess an administrative penalty against a person who violates Section 436.011 [Prohibited Acts] or an order issued under this chapter.</p> <p>(b) In determining the amount of the penalty, the director shall consider:</p> <ol style="list-style-type: none"> (1) the person’s previous violations; (2) the seriousness of the violation; (3) the hazard to the health and safety of the public; (4) the person’s demonstrated good faith; and (5) other matters as justice may require.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person operates a food service establishment, retail food store, mobile food unit, or temporary food service establishment without a permit that is required by the department under Section 437.0055 [Permit From Department Required in Areas Not Regulated by County or Public Health District].</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p>(c) Each day on which a violation occurs constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 437.0165, Health and Safety Code]</i></p>
<p>Frozen dessert manufacturer license³</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(See entry for wholesale distributors of prescription and non-prescription drug licenses on pp. 213-214.)</p> <p>(a) A person commits an offense if the person knowingly or intentionally violates Section 440.011 [Prohibited Acts] or a rule adopted by the board under this chapter.</p> <p>(b) An offense under this section is a <i>Class C misdemeanor</i>.</p> <p>(c) The penalty prescribed by this section is in addition to any civil or administrative penalty or sanction otherwise imposed under Chapter 431 or other law [Texas Food, Drug, and Cosmetic Act].</p> <p><i>[Statutory Authority: Section 440.032, Health and Safety Code]</i></p>
<p>Bottled and vended water operator certificate of competency³</p>	<p>(See entry for wholesale distributors of prescription and non-prescription drug licenses on pp. 213-214.)</p>
<p>Chemical dependency treatment facility license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commission may impose an administrative penalty against a person licensed or regulated under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p>(b) The penalty for a violation may be in an amount <i>not to exceed \$25,000</i>. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(c) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) enforcement costs relating to the violation; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 464.019, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person or facility is subject to a civil penalty of not more than \$25,000 for each day of violation and for each act of violation of this subchapter [Subchapter A. Regulation of Chemical Dependency Treatment Facilities] or a rule adopted under this subchapter. In determining the amount of the civil penalty, the court shall consider:</p> <ol style="list-style-type: none"> (1) the person’s or facility’s previous violations; (2) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (3) whether the health and safety of the public was threatened by the violation; (4) the demonstrated good faith of the person or facility; and (5) the amount necessary to deter future violations. <p><i>[Statutory Authority: Section 464.017, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person establishes, conducts, manages, or operates a treatment facility without a license. Each day of violation constitutes a separate offense.</p> <p>(b) A person commits an offense if the person intentionally, maliciously, or recklessly makes a false report under Section 464.010 [Reports of Abuse or Neglect].</p> <p>(c) A person commits an offense if the person has reasonable grounds to suspect that abuse or neglect of a client may have occurred and does not report the suspected or possible abuse or neglect.</p> <p>(d) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 464.016, Health and Safety Code]</i></p>
<p>Narcotic treatment center license</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>If a person violates this chapter, a rule adopted under this chapter, or an order or permit issued under this chapter, the commissioner may assess an administrative penalty against the person as provided by Chapter 431 [Texas Food, Drug, and Cosmetic Act].</p> <p><i>[Statutory Authority: Section 466.043, Health and Safety Code]</i></p> <p>(a) If it appears that a person has violated this chapter, a rule adopted under this chapter, or an order or permit issued under this chapter, the commissioner may request the attorney general or the district, county, or municipal attorney of the municipality or county in which the violation occurred to institute a civil suit for the assessment and recovery of a civil penalty.</p> <p>(b) The penalty may be in an amount not to exceed \$10,000 for each violation.</p> <p>(c) In determining the amount of the penalty, the court shall consider:</p> <ol style="list-style-type: none"> (1) the person’s history of previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; and (4) the demonstrated good faith of the person charged. <p><i>[Statutory Authority: Section 466.045, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person operates a narcotic drug treatment program without a permit issued by the department.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 466.044, Health and Safety Code]</i></p>
<p>Abusable volatile chemical sellers permit</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalties 	<p>(a) The department may impose an administrative penalty on a person who sells abusable glue or aerosol paint at retail who violates this chapter or a rule or order adopted under this chapter.</p> <p><i>[Statutory Authority: Section 485.101, Health and Safety Code]</i></p> <p>(a) The amount of the penalty may not exceed \$1,000 for each violation, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection may not exceed \$5,000.</p> <p><i>[Statutory Authority: Section 485.102, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person knowingly delivers an abusable volatile chemical to a person who is younger than 18 years of age.</p> <p>(d) Except as provided by Subsections (e) and (f), an offense under this section is a state jail felony.</p> <p>(e) An offense under this section is a Class B misdemeanor if it is shown on the trial of the defendant that at the time of the delivery the defendant or the defendant’s employer held a volatile chemical sales permit for the location of the sale.</p> <p>(f) An offense under this section is a Class A misdemeanor if it is shown on the trial of the defendant that at the time of the delivery the defendant or the defendant’s employer:</p> <ol style="list-style-type: none"> (1) did not hold a volatile chemical sales permit but did hold a sales tax permit for the location of the sale; and (2) had not been convicted previously under this section for an offense committed after January 1, 1988. <p><i>[Statutory Authority: Section 485.032, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person knowingly uses or possesses with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body an abusable volatile chemical in violation of Section 485.031.</p> <p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) knowingly: <ol style="list-style-type: none"> (A) delivers or sells inhalant paraphernalia; (B) possesses, with intent to deliver or sell, inhalant paraphernalia; or (C) manufactures, with intent to deliver or sell, inhalant paraphernalia; and (2) at the time of the act described by Subdivision (1), knows that the person who receives or is intended to receive the paraphernalia intends that it be used to inhale, ingest, apply, use, or otherwise introduce into the human body a volatile chemical in violation of Section 485.031.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(c) An offense under Subsection (a) is a Class B misdemeanor, and an offense under Subsection (b) is a Class A misdemeanor. <i>[Statutory Authority: Section 485.033, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person sells an abusable volatile chemical in a business establishment and the person does not display the sign required by Section 485.017 [Signs]. (b) An offense under this section is a Class C misdemeanor. <i>[Statutory Authority: Section 485.034, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person sells an abusable volatile chemical in violation of Section 485.011 [Permit Required] and the purchaser is 18 years of age or older. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 485.035, Health and Safety Code]</i></p> <p>Title 4, Penal Code [Inchoate Offenses], applies to an offense under this subchapter [Subchapter C. Criminal Penalties]. <i>[Statutory Authority: Section 485.038, Health and Safety Code]</i></p>
<p>Private mental hospitals and other mental health facilities licenses</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The board may impose an administrative penalty against a person licensed or regulated under this subtitle who violates this subtitle or a rule or order adopted under this subtitle. (b) The penalty for a violation may be in an amount not to exceed \$25,000. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. (c) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) enforcement costs relating to the violation, including investigation costs, witness fees, and deposition expenses; (3) the history of previous violations; (4) the amount necessary to deter future violations; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 571.025, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the emergency medical services provider’s or course coordinator’s previous violations; (2) the seriousness of the violation; (3) any hazard to the health and safety of the public; (4) the emergency medical services provider’s or course coordinator’s demonstrated good faith; and (5) any other matter as justice may require. <p>(c) The penalty may not exceed \$7,500 for each violation. The board by rule shall establish gradations of penalties in accordance with the relative seriousness of the violation.</p> <p>(d) Each day a violation continues may be considered a separate violation. <i>[Statutory Authority: Section 773.065, Health and Safety Code]</i></p> <p>(a) The attorney general, a district attorney, or a county attorney may bring a civil action to compel compliance with this chapter or to enforce a rule adopted under this chapter.</p> <p>(b) A person who violates this chapter or a rule adopted under this chapter is liable for a civil penalty in addition to any injunctive relief or other remedy provided by law. The civil penalty may not exceed \$250 a day for each violation. <i>[Statutory Authority: Section 773.063, Health and Safety Code]</i></p> <p>(a) A person commits an offense if the person knowingly practices as, attempts to practice as, or represents himself to be an emergency medical technician-paramedic, emergency medical technician-intermediate, emergency medical technician, emergency care attendant, or licensed paramedic and the person does not hold an appropriate certificate issued by the department under this chapter. An offense under this subsection is a Class A misdemeanor.</p> <p>(b) An emergency medical services provider commits an offense if the provider knowingly advertises or causes the advertisement of a false, misleading, or deceptive statement or representation concerning emergency medical services staffing, equipment, and vehicles. An offense under this subsection is a Class A misdemeanor.</p> <p>(c) A person commits an offense if the person knowingly uses or permits to be used a vehicle that the person owns, operates, or controls to transport a sick or injured person unless the person is licensed as an emergency medical services provider by the department. An offense under this subsection is a Class A misdemeanor.</p> <p>(d) It is an exception to the application of Subsection (c) that the person transports a sick or injured person:</p> <ol style="list-style-type: none"> (1) to medical care as an individual citizen not ordinarily engaged in that activity; (2) in a casualty situation that exceeds the basic vehicular capacity or capability of an emergency medical services provider; <p>or</p> <ol style="list-style-type: none"> (3) as an emergency medical services provider in a vehicle for which a variance has been granted under Section 773.052. <p><i>[Statutory Authority: Section 773.064, Health and Safety Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Personal emergency response system provider license and registration</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>The department may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 781.451, Health and Safety Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 781.452, Health and Safety Code]</i></p> <p>(a) A person who violates this chapter or a rule adopted under this chapter is liable for a civil penalty not to exceed \$5,000 a day. <i>[Statutory Authority: Section 781.402, Health and Safety Code]</i></p>
<i>Health and Safety of Animals</i>	
<p>Animal control officer and animal shelter personnel training</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) Each animal shelter operated in this state shall comply with the standards for:</p> <ol style="list-style-type: none"> (1) housing and sanitation existing on September 1, 1982, and adopted under Chapter 826; and (2) animal control officer training adopted under Chapter 829. <p>(b) An animal shelter shall separate animals in its custody at all times by species, by sex (if known), and if the animals are not related to one another, by size.</p> <p>(c) An animal shelter may not confine healthy animals with sick, injured, or diseased animals.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(d) Each person who operates an animal shelter shall employ a veterinarian at least once a year to inspect the shelter to determine whether it complies with the requirements of this chapter and Chapter 829 [Animal Control Officer Training]. The veterinarian shall file copies of the veterinarian’s report with the person operating the shelter and with the department on forms prescribed by the department.</p> <p>(e) The board may require each person operating an animal shelter to keep records of the date and disposition of animals in its custody, to maintain the records on the business premises of the animal shelter, and to make the records available for inspection at reasonable times.</p> <p>(f) A person commits an offense if the person substantially violates this section. An offense under this subsection is a Class C misdemeanor.</p> <p><i>[Statutory Authority: Section 823.003, Health and Safety Code]</i></p>
<i>Practices and Trades Related to Water, Health, and Safety</i>	
<p>Code enforcement officer registration</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The department may impose an administrative penalty on a person registered under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p><i>[Statutory Authority: Section 1952.251, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 1952.252, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates Section 1952.101 [Registration Required].</p> <p>(b) An offense under this section is a Class C misdemeanor.</p> <p><i>[Statutory Authority: Section 1952.201, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Sanitarian registration</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The board may impose an administrative penalty on a person registered under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 1953.301, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 1953.302, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates Section 1953.101 [Registration Required].</p> <p>(b) An offense under this section is a Class C misdemeanor. <i>[Statutory Authority: Section 1953.251, Occupations Code]</i></p>
<p>Asbestos removal licenses and registrations</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commissioner may impose an administrative penalty on a person who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 1954.351, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$10,000 a day for each violation. Each day a violation continues may be considered a separate violation for purposes of imposing a penalty.</p> <p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) any hazard created to the health and safety of the public; (3) the person’s history of previous violations; and (4) any other matter that justice may require. <p><i>[Statutory Authority: Section 1954.352, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) If it appears that a person has violated, is violating, or is threatening to violate this chapter or a rule adopted or certification issued under this chapter, the state may bring an action in the manner prescribed by Section 7.105(a), Water Code [Civil Suit], for injunctive relief, to recover a civil penalty, or for both injunctive relief and a civil penalty.</p> <p>(c) The amount of a civil penalty imposed under this section may not exceed:</p> <ul style="list-style-type: none"> (1) \$2,000 for the first violation; or (2) \$10,000 for a subsequent violation. <p><i>[Statutory Authority: Section 1955.104, Occupations Code]</i></p> <p>(a) A person commits an offense if:</p> <ul style="list-style-type: none"> (1) the person knowingly violates this chapter or a rule adopted or certification issued under this chapter; and (2) the violation endangers the public health and safety. <p>(b) An offense under this section is a misdemeanor punishable by:</p> <ul style="list-style-type: none"> (1) a fine not to exceed \$10,000; (2) confinement for a term not to exceed six months; or (3) both the fine and the confinement. <p><i>[Statutory Authority: Section 1955.105, Occupations Code]</i></p>
<p>Mold assessor and remediator licenses</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commissioner may impose an administrative penalty on a person who violates this chapter or a rule adopted or order issued under this chapter.</p> <p><i>[Statutory Authority: Section 1958.251, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$5,000 for each violation. Each day a violation continues under Section 1958.101 [License Required] or 1958.155 [Conflict of Interest; Disclosure Required] may be considered a separate violation for purposes of imposing a penalty.</p> <p>(b) In determining the amount of the penalty, the commissioner shall consider:</p> <ul style="list-style-type: none"> (1) whether the violation was committed knowingly, intentionally, or fraudulently; (2) the seriousness of the violation; (3) any hazard created to the health and safety of the public; (4) the person’s history of previous violations; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 1958.252, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person who violates this chapter or a rule adopted under this chapter is liable for a civil penalty in an amount <i>not to exceed \$2,000 for the first violation or \$10,000 for a second or later violation.</i> <i>[Statutory Authority: Section 1958.301, Occupations Code]</i></p>
<i>Health-related Professions⁴</i>	
<p>Sex offender treatment provider license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The council may impose an administrative penalty on a person licensed under this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 110.451, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty <i>may not be less than \$50 or more than \$5,000 for each violation.</i> Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 110.452, Occupations Code]</i></p>
<p>Midwife license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The midwifery board may impose an administrative penalty on a person who violates this chapter or a rule adopted under this chapter. <i>[Statutory Authority: Section 203.451, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty <i>may not exceed \$5,000 for each violation.</i> Each day a violation continues is a separate violation.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts made to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 203.452, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person violates this chapter. (b) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 352.353, Occupations Code]</i></p>
<p>Speech-language pathologist and audiologist license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 401.551, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty <i>may not be less than \$50 or more than \$5,000 for each violation</i>. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty. (b) The amount shall be based on: (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <i>[Statutory Authority: Section 401.552, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates this chapter. (b) An offense under this section is a <i>misdemeanor punishable by:</i> <i>(1) confinement in the county jail for a period not to exceed six months;</i> <i>(2) a fine not to exceed \$1,000; or</i> <i>(3) both the confinement and the fine.</i> <i>[Statutory Authority: Section 401.503, Occupations Code]</i></p>
<p>Hearing instrument fitter and dispenser license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The committee, with the board’s approval, may impose an administrative penalty on a person described in this chapter for a violation of this chapter or a rule adopted under this chapter. (b) The amount of the administrative penalty <i>may not exceed \$250 plus costs for the first violation and \$1,000 plus costs for each subsequent violation</i>. <i>[Statutory Authority: Section 402.551, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A person who violates this chapter or a rule or order adopted by the committee under this chapter is liable for a civil penalty not to exceed \$5,000 a day. <i>[Statutory Authority: Section 402.553, Occupations Code]</i></p>
<p>Athletic trainer license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>(a) The board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. A penalty collected under this section or Section 451.352 shall be deposited in the state treasury in the general revenue fund.</p> <p>(c) The amount of the penalty may not exceed \$500 for each violation, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection may not exceed \$2,500.</p> <p>(d) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the threat to health or safety caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) whether the violator demonstrated good faith, including, when applicable, whether the violator made good faith efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 451.351, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates this chapter. (b) An offense under this section is a misdemeanor punishable by a fine of not less than \$25 or more than \$200. <i>[Statutory Authority: Section 451.301, Occupations Code]</i></p>
<p>Massage therapist license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The department may impose an administrative penalty on a person who violates this chapter or a rule adopted under this chapter. <i>[Statutory Authority: Section 455.301, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$1,000 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(b) An owner or operator of a massage establishment commits an offense if the person knowingly violates Section 455.151(a) [Practicing Without a License], 455.155(d) [Sexually Oriented Business Holding a License], 455.202(a) [Employ of Massage Therapists by Massage Establishment Required], 455.204(b) or (c) [Display and Presentation of License by Request of Certain Law Enforcement Officials], or 455.205(d). An offense under this subsection is a Class B misdemeanor, unless the actor has previously been convicted one or two times of an offense under this subsection, in which event it is a Class A misdemeanor. If the actor has previously been convicted three or more times of an offense under this subsection, the offense is a state jail felony.</p> <p>(d) Except as provided by Subsections (a-1), (b), and (e), an offense under this section is a Class C misdemeanor.</p> <p>(e) If it is shown at the trial of an offense under this section that the defendant has been previously convicted of an offense under this section, the offense is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 455.352, Occupations Code]</i></p>
<p>Professional counselor license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p><i>[Statutory Authority: Section 503.501, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 503.502, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly:</p> <ol style="list-style-type: none"> (1) engages in the practice of professional counseling without holding a license under this chapter; (2) represents the person by the title “Licensed Professional Counselor” or “Licensed Counselor” without holding a license under this chapter; (3) represents the person by the title “Licensed Professional Counselor — Art Therapist,” “Art Therapist,” or by the initials “L.P.C. — A.T.” or “A.T.” without: <ol style="list-style-type: none"> (A) holding a license with a specialization in art therapy under Section 503.303 [Specialization in Art Therapy]; or (B) holding a license under Section 503.309 [Repealed]; or (4) uses any title, words, letters, or abbreviations that imply that the person is licensed under this chapter if the person is not licensed under this chapter. <p>(b) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 503.452, Occupations Code]</i></p>
<p>Chemical dependency counselor license</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty 	<p>The department may impose an administrative penalty on a person who violates this chapter or a rule adopted under this chapter. <i>[Statutory Authority: Section 504.301, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty <i>may not exceed \$1,000 for each violation</i>. Each day of a continuing violation is a separate violation.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts made to correct the violation; and (5) any other matter that justice requires. <p><i>[Statutory Authority: Section 504.302, Occupations Code]</i></p> <p>(a) If it appears that a person has violated, is violating, or is threatening to violate this chapter or a rule adopted under this chapter, the department or the attorney general at the request of the department may institute an action in district court for an injunction, a civil penalty, or both.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts made to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 601.352, Occupations Code]</i></p> <p>(a) If it appears that a person has violated, is violating, or is threatening to violate this chapter or a rule adopted under this chapter, the board or the department may bring an action to enjoin the continued or threatened violation.</p> <p>(b) A person who violates this chapter or a rule adopted under this chapter is subject to a civil penalty in an amount not to exceed \$1,000 for each day of violation.</p> <p><i>[Statutory Authority: Section 601.401, Occupations Code]</i></p> <p>(a) A person who is required to be certified under this chapter commits an offense if the person:</p> <ol style="list-style-type: none"> (1) knowingly administers a radiologic procedure to another person without holding a valid certificate issued by the department; (2) practices radiologic technology without holding a certificate under this chapter; (3) uses or attempts to use a suspended or revoked certificate; (4) knowingly allows a student enrolled in an education program to perform a radiologic procedure without direct supervision; (5) obtains or attempts to obtain a certificate through bribery or fraudulent misrepresentation; (6) uses the title or name “certified medical radiologic technologist” or any other name or title that implies the person is certified to practice radiologic technology, unless the person is certified under this chapter; (7) knowingly conceals information relating to enforcement of this chapter or a rule adopted under this chapter; or (8) employs a person not certified by or in compliance with this chapter for the purpose of applying ionizing radiation to a person. <p>(b) An offense under this section is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 601.402, Occupations Code]</i></p>
<p>Medical physicist license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. A penalty collected under this subchapter shall be deposited in the state treasury in the general revenue fund.</p> <p>(c) The amount of the penalty may not exceed \$500 for each violation, and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The total amount of the penalty assessed for a violation continuing or occurring on separate days under this subsection may not exceed \$2,500.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(d) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the threat to health or safety caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) whether the violator demonstrated good faith, including, when applicable, whether the violator made good faith efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 602.351, Occupations Code]</i></p> <p>(a) A person who violates this chapter or a rule or order adopted by the board under this chapter is liable for a civil penalty not to exceed \$5,000 a day.</p> <p><i>[Statutory Authority: Section 602.3015, Occupations Code]</i></p> <p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) practices medical physics without holding a license under this chapter; (2) practices a specialty of medical physics without holding a license for the specialty; (3) practices medical physics in violation of this chapter; or (4) uses in any manner letters, terminology, symbols, or signs to indicate or imply that the person is qualified or licensed to practice medical physics in a manner for which the person is not licensed under this chapter. <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 602.302, Occupations Code]</i></p>
<p>Perfusionist license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The department may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p><i>[Statutory Authority: Section 603.501, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 603.502, Occupations Code]</i></p> <p>(a) A person who violates this chapter, a rule adopted by the executive commissioner, or an order adopted by the commissioner under this chapter is liable for a civil penalty not to exceed \$5,000 a day.</p> <p><i>[Statutory Authority: Section 603.4515, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly violates Section 603.251 [License Required] or 603.354 [Certification From American Board of Cardiovascular Perfusion].</p> <p>(b) An offense under this section is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 603.452, Occupations Code]</i></p>
<p>Respiratory care practitioner certificate</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The department may impose an administrative penalty on a person who violates this chapter or a rule adopted under this chapter.</p> <p><i>[Statutory Authority: Section 604.301, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$1,000 for each violation. Each day a violation continues is a separate violation.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts made to correct the violation; and (5) any other matter that justice requires. <p><i>[Statutory Authority: Section 604.302, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person knowingly violates Section 604.101 [Certificate or Temporary Permit Required; Supervision] or 604.102 [Use of Title].</p> <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 604.351, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly:</p> <ol style="list-style-type: none"> (1) sells, fraudulently obtains, or furnishes a respiratory care diploma, certificate, temporary permit, or record; (2) practices respiratory care under a respiratory care diploma, certificate, temporary permit, or record illegally or fraudulently obtained or issued; (3) impersonates in any manner a respiratory care practitioner; (4) practices respiratory care while the person’s certificate or temporary permit is suspended, revoked, or expired; (5) conducts a formal respiratory care education program to prepare respiratory care personnel other than a program approved by the department; (6) employs a person as a respiratory care practitioner who does not hold a certificate or temporary permit in the practice of respiratory care; or (7) otherwise practices medicine in violation of Section 604.002 [Interpretation: Practice of Medicine]. <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 604.352, Occupations Code]</i></p>
<p>Orthotist and prosthetist license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 605.401, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not be less than \$50 or more than \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 605.402, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person who violates this chapter is subject to a <i>civil penalty of \$200 for the first violation and \$500 for each subsequent violation.</i></p> <p>(b) Each day a violation of Section 605.351 [Use of Title] continues is a separate violation for the purpose of this section. <i>[Statutory Authority: Section 605.354, Occupations Code]</i></p> <p>(a) A person required to hold a license under this chapter commits an offense if the person knowingly practices, attempts to practice, or offers to practice orthotics or prosthetics without holding a license issued under this chapter.</p> <p>(b) An offense under Subsection (a) is a <i>Class A misdemeanor.</i> <i>[Statutory Authority: Section 605.356, Occupations Code]</i></p>
<p>Dietitian license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The dietitians board may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 701.501, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty <i>may not be less than \$50 or more than \$5,000 for each violation.</i> Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.</p> <p>(b) The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 701.502, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly violates Section 701.251 [License Required; Commission Registration].</p> <p>(b) A person commits an offense if the person violates Section 701.353(a) [relating to the prohibited use of seal without license].</p> <p>(c) An offense under this section is a <i>Class B misdemeanor.</i> <i>[Statutory Authority: Section 701.451, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>A person who is not exempt under this chapter and who, without first obtaining a license required under this chapter, performs an act that requires a license under this chapter commits an offense. An offense under this section is a Class B misdemeanor. A second or subsequent conviction for an offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 1201.609, Occupations Code]</i></p>
Texas Department of Insurance⁵	
<i>Fire Detection and Alarm Device Installation Licenses</i>	
<p>Fire alarm branch office registration; fire alarm firm registration; fire alarm planning superintendent license; fire alarm technician license; residential fire alarm superintendent license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) An individual or organization commits an offense if the individual or organization violates Section 6002.151 [Firm Registration Certificate Required; Limited Certificate], 6002.152 [Branch Office Registration Certificate Required], or 6002.154 [Fire Alarm Technician, Residential Fire Alarm Superintendent, and Fire Alarm Planning Superintendent]. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 6002.351, Insurance Code]</i></p>
<i>Fire Extinguisher Service and Installation Licenses</i>	
<p>Licenses, permits, and registrations (generally)</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly violates Section 6001.251(a) [Prohibited Practices; subsection prohibits the sale, lease, installation, or use of a detection or alarm device, alarm system, or item of monitoring equipment without a label of approval or listing of a testing laboratory approved by the department]. (b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 6001.301, Insurance Code]</i></p>
<i>Fire Protection Sprinkler System Service and Installation Licenses</i>	
<p>Fire protection sprinkler system contractor registration; responsible managing employee license</p>	

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly violates Section 6003.151(a) [Fire Protection Sprinkler System Contractor; Registration Certificate Required], 6003.153 [Responsible Managing Employee: License Required], or 6003.251 [Prohibited Practices].</p> <p>(b) An offense under this section is a Class B misdemeanor.</p> <p>[Statutory Authority: Section 6003.301, Insurance Code]</p>
Fireworks and Fireworks Display Licenses	
<p>Fireworks manufacturer license; fireworks pyrotechnic operator license; fireworks pyrotechnic special effects operator license; flame effects operator license; public display permit</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person violates Section 2154.101(b), (c)(2), or (d) [relating to general requirements; subsections set out minimum age requirements for a pyrotechnic operator’s license and prohibit fraudulent attempts to obtain such a license or altering or defacing the license], 2154.151(e) [Manufacturer’s License; requires a licensed manufacturer to submit samples of all fireworks to the state fire marshal for approval], or 2154.201(a), (b)(2), or (c) [similar to Section 2154.101, but applicable to public fireworks display permits], or Subchapter F [Prohibited Acts].</p> <p>(b) Except as provided by Subsection (c), an offense under this section is a Class B misdemeanor.</p> <p>(c) A violation of Section 2154.251(a)(1), (2), (3), (4), (5), or (8) [relating to the prohibited use of fireworks] that results in property damage in an amount of less than \$200 and does not result in bodily injury or death, or a violation of Section 2154.254(a) or (b) [Employment of Minors] is a Class C misdemeanor.</p> <p>(d) Each day a violation occurs or continues constitutes a separate offense.</p> <p>[Statutory Authority: Section 2154.303, Occupations Code]</p>
Insurance Licenses	
<p>Insurance licenses (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commissioner may impose an administrative penalty on a person licensed or regulated under this code or another insurance law of this state who violates:</p> <ol style="list-style-type: none"> (1) this code; (2) another insurance law of this state; or (3) a rule or order adopted under this code or another insurance law of this state. <p>[Statutory Authority: Section 84.021, Insurance Code]</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) The penalty for a violation <i>may not exceed \$25,000, unless a greater or lesser penalty is specified by this code or another insurance law of this state.</i></p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of the violation; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to the public interest or public confidence caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; (6) whether the violation was intentional; and (7) any other matter that justice may require. <p><i>[Statutory Authority: Section 84.022, Insurance Code]</i></p> <p>(a) A person or entity, including an insurer, that violates this chapter [Chapter 101. Unauthorized Insurance] or Chapter 226 [Unauthorized and Independently Procured Insurance Premium Tax] is subject to a civil penalty of <i>not more than \$10,000 for each act of violation and for each day of violation.</i></p> <p><i>[Statutory Authority: Section 101.105, Insurance Code]</i></p> <p>(a) A person, including an insurer, who intentionally, knowingly, or recklessly violates Section 101.102 [Unauthorized Insurance Prohibited] commits an offense.</p> <p>(b) An offense under this section is a <i>felony of the third degree.</i></p> <p>(c) It is a defense to prosecution under this section that Section 101.051 [Conduct That Constitutes the Business of Insurance] or 101.052 [Advertising Relating to Medicare Supplement Policies], as applicable, by its terms does not apply to the person charged.</p> <p><i>[Statutory Authority: Section 101.106, Insurance Code]</i></p>
<p>Insurance adjuster license (including limited license)</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>A person commits an offense if the person violates Section 4101.051 [License Required] or 4101.102(c) [Limited License; subsection prohibits a person from adjusting claims in a kind of insurance other than that for which the adjuster is specifically licensed]. An offense under this section is a <i>misdemeanor punishable by:</i></p> <ol style="list-style-type: none"> (1) <i>a fine of not more than \$500;</i> (2) <i>confinement in the county jail for not more than six months; or</i> (3) <i>both the fine and the confinement.</i> <p><i>[Statutory Authority: Section 4101.203, Insurance Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Insurance premium finance company license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) intentionally, knowingly, recklessly, or negligently engages in the operation of an insurance premium finance company and does not hold a license issued under this chapter; (2) intentionally, knowingly, recklessly, or negligently violates this chapter; (3) intentionally or knowingly omits to state a material fact necessary to give the commissioner or the department information lawfully required of the person; or (4) refuses to permit an investigation or examination authorized under this chapter. <p>(b) An offense under this section is a Class B misdemeanor.</p> <p><i>[Statutory Authority: Section 651.208, Insurance Code]</i></p>
<p>Public insurance adjuster</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The commissioner, in lieu of suspending or revoking a license for a violation of this chapter or a rule adopted under this chapter, may impose on a license holder an administrative penalty in an amount not to exceed \$2,000 per violation if the commissioner determines that that action better serves the purposes of this chapter.</p> <p><i>[Statutory Authority: Section 4102.204, Insurance Code]</i></p> <p>(a) A person commits an offense if the person violates this chapter. An offense under this subsection is a Class B misdemeanor.</p> <p>(b) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the person committing the offense may be prosecuted under this section or the other law.</p> <p>(c) In addition to the criminal penalties imposed under this section, a person in violation of this chapter is subject to the sanctions provided by Sections 541.108 [Cease and Desist Order], 541.109 [Modification or Setting Aside of Order], and 541.110 [Administrative Penalty], as if the person had violated an order under those sections.</p> <p><i>[Statutory Authority: Section 4102.206, Insurance Code]</i></p>
<p>Reinsurance intermediary broker license</p>	<p>(a) The commissioner may impose or seek any sanction authorized by law, including the penalties authorized by Chapters 82 [Sanctions] and 83 [Emergency Cease and Desist Orders], against a reinsurance intermediary, insurer, or reinsurer who the commissioner determines, after notice and hearing as provided by this code, has violated this chapter.</p> <p>(b) The commissioner may impose or seek any sanction authorized by law, including the penalties authorized by Chapter 101 [Unauthorized Insurance], against a nonlicensed reinsurance intermediary who violates this chapter.</p> <p><i>[Statutory Authority: Section 4152.302, Insurance Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Utilization review agent certificate	<p>If the commissioner determines that a utilization review agent, health maintenance organization, insurer, or other person or entity conducting utilization review has violated or is violating this chapter, the commissioner may:</p> <ul style="list-style-type: none"> (1) impose a sanction under Chapter 82 [Sanctions]; (2) issue a cease and desist order under Chapter 83 [Emergency Cease and Desist Orders]; or (3) assess an administrative penalty under Chapter 84 [Administrative Penalties]. <p><i>[Statutory Authority: Section 4201.603, Insurance Code]</i></p>
Texas Board of Professional Land Surveying	
<p>Land surveyor licenses and registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty on a person who violates this chapter or a rule adopted or order issued under this chapter.</p> <p><i>[Statutory Authority: Section 1071.451, Occupations Code]</i></p> <ul style="list-style-type: none"> (a) The amount of an administrative penalty may not exceed \$1,500 for each violation. (b) In determining the amount of the penalty, the board shall consider: <ul style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited acts; (2) the economic damage to property caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. (c) The board by rule shall adopt an administrative penalty schedule for violations of this chapter or board rules to ensure that the amounts of penalties imposed are appropriate to the violation. <p><i>[Statutory Authority: Section 1071.452, Occupations Code]</i></p> <ul style="list-style-type: none"> • Civil penalty <ul style="list-style-type: none"> (a) A person who violates this chapter or a rule is liable for a civil penalty not to exceed \$1,500 for each violation. <p><i>[Statutory Authority: Section 1071.503, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) engages in the practice of or offers to practice professional surveying or state land surveying in this state without being registered or licensed in accordance with this chapter; (2) presents or attempts to use another person’s certificate of registration, license, or seal issued under this chapter; (3) gives false or forged evidence to obtain or assist another person in obtaining a certificate of registration or license; or (4) violates this chapter or a rule adopted by the board. <p>(c) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 1071.504, Occupations Code]</i></p>
<p>Commission on Law Enforcement Officer Standards and Education</p>	
<p>Law enforcement officer licenses (generally)</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person appoints or retains another person as an officer or county jailer in violation of Section 1701.301 [License Required], 1701.303 [License Application; Duties of Appointing Entity], or 1701.306 [Psychological and Physical Examination].</p> <p>(b) An offense under Subsection (a) is a <i>misdemeanor punishable by a fine of not less than \$100 and not more than \$1,000</i>. <i>[Statutory Authority: Section 1701.551, Occupations Code]</i></p> <p>(a) A person commits an offense if the person appoints or retains another person in violation of Section 1701.403 [Investigative Hypnosis].</p> <p>(b) An offense under Subsection (a) is a <i>misdemeanor punishable by a fine of not less than \$100 and not more than \$1,000</i>. <i>[Statutory Authority: Section 1701.552, Occupations Code]</i></p> <p>(a) A person commits an offense if the person appoints or retains an individual as an officer, public security officer, or county jailer in violation of Section 1701.312 [Disqualification: Felony Conviction or Placement on Community Supervision] or 1701.313 [Disqualification: Conviction of Barratry].</p> <p>(b) An offense under Subsection (a) is a <i>state jail felony</i>. <i>[Statutory Authority: Section 1701.553, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Department of Licensing and Regulation	
<i>Air Conditioning and Refrigeration Licenses</i>	
Air conditioning and refrigeration contractor license <ul style="list-style-type: none"> • Criminal penalty 	(a) A person commits an offense if the person: <ol style="list-style-type: none"> (1) knowingly engages in air conditioning and refrigeration contracting without holding a license issued under this chapter; or (2) purchases a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.353 [Purchase of Refrigerant: License or Registration Required], 1302.355 [Purchase of Refrigerant: Evidence Requirement], or 1302.356 [Sale or Use of Certain Refrigerants Prohibited]. (b) It is an exception to the application of this section with respect to a purchase of a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.356 that the refrigerant or equipment is purchased for use only in a motor vehicle and that use is authorized by the United States Environmental Protection Agency. (c) An offense under this section is a <i>Class C misdemeanor</i> . <i>[Statutory Authority: Section 1302.453, Occupations Code]</i>
<i>Auctioneer Licenses</i>	
Auctioneer licenses (generally) <ul style="list-style-type: none"> • Criminal penalties 	(a) A person commits an offense if the person acts as an auctioneer without a license. (b) An offense under this section is a <i>Class B misdemeanor</i> . <i>[Statutory Authority: Section 1802.301, Occupations Code]</i> (a) A person commits an offense if the person violates a provision of this chapter or a rule adopted by the commission under this chapter for which a penalty is not provided. (b) An offense under this section is a <i>Class C misdemeanor</i> . <i>[Statutory Authority: Section 1802.303, Occupations Code]</i>
<i>Barbering and Cosmetology Licenses</i>	
Barber school permit; barbershop permit; Class A barber certificate; private beauty culture school license	

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) A barber, barbershop owner, barber school, or private beauty culture school that violates this chapter [Chapter 1603. Regulation of Barbering and Cosmetology], Chapter 1601 [Barbers], Chapter 1602 [Cosmetologists], or a commission rule is liable for a civil penalty in addition to any injunctive relief or other remedy provided by law.</p> <p>(b) The amount of the civil penalty for a barber or barbershop owner may not exceed \$25 a day for each violation.</p> <p>(c) The amount of the civil penalty for a barber school or private beauty culture school may not exceed \$1,000 a day for each violation.</p> <p><i>[Statutory Authority: Section 1603.452, Occupations Code]</i></p>
<p>Cosmetology licenses (generally)</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person violates this chapter.</p> <p>(b) Unless otherwise provided by this chapter, an offense under this section is a misdemeanor punishable by a fine of not less than \$100 or more than \$300.</p> <p><i>[Statutory Authority: Section 1602.554, Occupations Code]</i></p>
<p><i>Combative Sports Licenses</i></p>	
<p>Combative sports licenses (generally)</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A court may assess a civil penalty against a person who violates this chapter or a rule adopted under this chapter. The amount of the penalty may not exceed \$1,000 for each violation.</p> <p><i>[Statutory Authority: Section 2052.303, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates this chapter or a rule adopted under this chapter.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 2052.309, Occupations Code]</i></p>
<p>Promoter license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>A promoter who does not comply with Section 2052.115(1) [Promoter Responsibilities; subdivision requires promoter to assure that all contestants scheduled to participate in a promoted event are licensed before the event] in a timely manner is subject to a penalty under this chapter for each contestant who obtains a license less than 72 hours before an event in which the contestant is scheduled to participate.</p> <p><i>[Statutory Authority: Section 2052.3015, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<i>Electrician Licenses</i>	
<p>Electrician licenses (generally)</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>(a) The executive director may impose an administrative penalty on a person under Subchapter F [Administrative Penalty⁶], Chapter 51 [Texas Department of Licensing and Regulation], regardless of whether the person holds a license under this chapter [Chapter 1305. Electricians], if the person violates:</p> <ol style="list-style-type: none"> (1) this chapter or a rule adopted under this chapter; or (2) a rule or order of the executive director or commission. <p>(b) An administrative penalty may not be imposed unless the person charged with a violation is provided the opportunity for a hearing. <i>[Statutory Authority: Section 1305.301, Occupations Code]</i></p> <p>(b) The attorney general or executive director may institute an action for an injunction or a civil penalty under this chapter as provided by Section 51.352 [Injunctive Relief; Civil Penalty⁷]. <i>[Statutory Authority: Section 1305.302(b), Occupations Code]</i></p> <p>(a) A person subject to this chapter commits an offense if the person:</p> <ol style="list-style-type: none"> (1) violates the licensing requirements of this chapter; (2) performs electrical work without a license to perform electrical work in this state; (3) employs an individual who does not hold the appropriate license required by this chapter; or (4) falsifies a certification of on-the-job training. <p>(b) An offense under this section is a <i>Class C misdemeanor</i>. <i>[Statutory Authority: Section 1305.303, Occupations Code]</i></p>
<i>Employment Services Licenses</i>	
<p>Personnel employment service certificate of authority</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(b) If, after a hearing, the commission determines that a personnel service has violated Section 2501.102 [Imposition of Fee Prohibited Before Employment Offer Accepted], the commission may award the complainant an amount <i>equal to the amount of the fee charged by the personnel service</i>. <i>[Statutory Authority: Section 2501.154, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(a) In addition to the amount awarded to a complainant under Section 2501.154(b), the executive director may impose on the personnel service an administrative penalty <i>equal to two times the amount awarded under that subsection</i>. A penalty collected under this section shall be deposited in the state treasury.</p> <p>(b) A penalty imposed under this section is in lieu of a criminal penalty provided by this chapter for a violation of Section 2501.102.</p> <p><i>[Statutory Authority: Section 2501.253, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly violates this chapter.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 2501.251, Occupations Code]</i></p>
<p>Staff leasing services license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person who violates Section 91.061 [Prohibited Acts] commits an offense.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 91.063, Labor Code]</i></p>
<p>Talent agency registration</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly violates this chapter or a rule adopted under this chapter.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 2105.253, Labor Code]</i></p>
<p>Temporary common worker employer registration</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly or intentionally violates:</p> <ol style="list-style-type: none"> (1) this chapter; (2) a rule adopted under this chapter; or (3) an administrative order adopted under this chapter. <p>(b) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 92.031, Labor Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<i>Industrialized Housing and Buildings Licenses</i>	
Industrialized housing and buildings licenses (generally) <ul style="list-style-type: none"> • Criminal penalty 	(b) A person commits an offense if the person violates this chapter [Chapter 1202. Industrialized Housing and Buildings] or a published rule of the commission or order of the commission or the executive director. (c) An offense under this section is a <i>Class A misdemeanor</i> . <i>[Statutory Authority: Section 1202.351, Occupations Code]</i>
<i>Legal Services Licenses</i>	
Court interpreter license <ul style="list-style-type: none"> • Administrative penalty 	(a) A person commits an offense if the person violates this subchapter [Subchapter C. Court Interpreters for Individuals Who Do Not Communicate in English] or a rule adopted under this subchapter. (b) A person who violates this subchapter or a rule adopted under this subchapter is subject to an administrative penalty assessed by the commission as provided by Subchapter F, Chapter 51, Occupations Code. ⁷ <i>[Statutory Authority: Section 57.050, Government Code]</i>
For-profit legal service contract company registrations (generally) <ul style="list-style-type: none"> • Civil penalty 	(a) The executive director may institute an action against a company or sales representative for injunctive relief under Section 51.352 [Injunctive Relief; Civil Penalty] to restrain a violation or a threatened violation of this chapter [Chapter 953. Regulation of For-profit Legal Service Contract Companies] or an order issued or rule adopted under this chapter. (b) In addition to the injunctive relief, the executive director may institute an action for a civil penalty as provided by Section 51.352. ⁷ <i>[Statutory Authority: Section 953.203, Occupations Code]</i>
<i>Property Tax Consulting Licenses</i>	
Property tax consultant registrations (generally) <ul style="list-style-type: none"> • Criminal penalty 	(a) A person required to be registered under this chapter commits an offense if the person: <ol style="list-style-type: none"> (1) is not registered under this chapter; and (2) performs or offers to perform property tax consulting services for compensation.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(b) A person commits an offense if the person:</p> <ol style="list-style-type: none"> (1) knows that a person required to be registered under this chapter is not registered; and (2) represents that the person required to be registered is a property tax consultant, agent, counselor, advisor, or representative. <p>(c) An offense under this section is a <i>Class B misdemeanor</i>. <i>[Statutory Authority: Section 1152.252, Occupations Code]</i></p>
<i>Service Contract Provider Licenses</i>	
<p>Service contract provider registrations (generally)</p> <ul style="list-style-type: none"> • Civil penalty 	<p>(a) The executive director may institute an action under Section 51.352 [Injunctive Relief; Civil Penalty] for injunctive relief to restrain a violation or a threatened violation of this chapter [Chapter 1304. Service Contract Providers] or an order issued or rule adopted under this chapter.</p> <p>(b) In addition to the injunctive relief, the executive director may institute an action for a civil penalty as provided by Section 51.352.⁷ The amount of a civil penalty assessed under this section <i>may not exceed:</i></p> <ol style="list-style-type: none"> <i>(1) \$2,500 for each violation; or</i> <i>(2) \$50,000 in the aggregate for all violations of a similar nature.</i> <p><i>[Statutory Authority: Section 1304.202, Occupations Code]</i></p>
<i>Towing and Vehicle Storage Facility Licenses</i>	
<p>Tow truck company registration; tow truck operator license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>A violation of this chapter is a <i>misdemeanor punishable by a fine of not less than \$500 or more than \$1,500.</i> <i>[Statutory Authority: Section 2308.405, Occupations Code]</i></p>
<p>Vehicle storage facility licenses (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commission may impose an administrative penalty on a person under Subchapter F, Chapter 51,⁷ regardless of whether the person holds a registration, permit, or license under this chapter [Chapter 2303. Vehicle Storage Facilities], if the person violates:</p> <ol style="list-style-type: none"> (1) this chapter or a rule adopted under this chapter; or (2) a rule or order of the executive director or commission. <p>(b) An administrative penalty may not be imposed unless the person charged with a violation is provided the opportunity for a hearing. <i>[Statutory Authority: Section 2303.304, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) The executive director of the department may institute an action against a program operator or marketer for injunctive relief under Section 51.352, Occupations Code [Injunctive Relief; Civil Penalty], to restrain a violation or a threatened violation of this chapter or an order issued or rule adopted under this chapter.</p> <p>(b) In addition to the injunctive relief, the executive director of the department may institute an action for a civil penalty as provided by Section 51.352, Occupations Code.⁷</p> <p>(c) The amount of any civil penalty assessed under this section may not exceed \$2,500 for each violation.</p> <p>(d) Advertising, selling, or distributing a discount health care program that violates this chapter is a false, misleading, or deceptive act or practice for purposes of Section 17.46, Business & Commerce Code [Deceptive Trade Practices Unlawful]. The exclusive remedy for such a violation is an action by the office of the attorney general as provided by Section 17.46(a), Business & Commerce Code.</p> <p>(e) The office of the attorney general may not bring an action under Section 17.46, Business & Commerce Code, for a violation arising out of the same act or failure to act for which an administrative or civil penalty has been assessed in accordance with Section 76.151 [Disciplinary Action] or this section.</p> <p><i>[Statutory Authority: Section 76.152, Health and Safety Code]</i></p>
<p>Vehicle protection product warrantor registration</p> <ul style="list-style-type: none"> • Civil penalty 	<p>(a) In addition to injunctive relief under Section 2306.252 [Injunction], the executive director may bring an action against a warrantor for a civil penalty as provided by Section 51.352.⁷</p> <p>(b) A civil penalty assessed under this section may not exceed:</p> <p style="padding-left: 20px;">(1) \$1,000 for each violation; or</p> <p style="padding-left: 20px;">(2) \$50,000 in the aggregate for all violations of a similar nature.</p> <p><i>[Statutory Authority: Section 2306.253, Occupations Code]</i></p>
Texas Lottery Commission	
<p>Bingo licenses (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commission may impose an administrative penalty against a person who violates this chapter or a rule or order adopted by the commission under this chapter.</p> <p><i>[Statutory Authority: Section 2001.601, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not exceed \$1,000 for each violation. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty.</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(b) In determining the amount of the penalty, the director shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited acts; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 2001.602, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly participates in the award of a prize to a bingo player in a manner that disregards, to any extent, the random selection of numbers or symbols.</p> <p>(b) An offense under this section is a <i>felony of the third degree</i>.</p> <p>(c) It is a defense to prosecution under this section that no participant in the game furnished anything of value for the opportunity to participate in the game.</p> <p><i>[Statutory Authority: Section 2001.552, Occupations Code]</i></p> <p>(a) A person commits an offense if a person sells or attempts to induce the sale of bingo equipment, supplies, or automated bingo services to a licensed authorized organization and the person is not licensed to do so.</p> <p>(b) A licensed system service provider commits an offense if the person provides system services to a person other than a licensed authorized organization or a group of licensed authorized organizations.</p> <p>(c) An offense under this section is a <i>Class A misdemeanor</i>.</p> <p><i>[Statutory Authority: Section 2001.553, Occupations Code]</i></p> <p>(a) A person commits an offense and the person’s license is subject to revocation under this chapter if the person:</p> <ol style="list-style-type: none"> (1) makes a false statement or material omission in an application for a license under this chapter; (2) fails to maintain records that fully and accurately record each transaction connected with the conducting of bingo, the leasing of premises to be used for bingo, or the manufacture, sale, or distribution of bingo supplies or equipment; (3) falsifies or makes a false entry in a book or record if the entry relates to bingo, the disposition of bingo proceeds, the application of rent received by a licensed authorized organization, or the gross receipts from the manufacture, sale, or distribution of bingo supplies or equipment; (4) diverts or pays a portion of the net proceeds of bingo to a person except in furtherance of one or more of the lawful purposes provided by this chapter; or (5) violates this chapter or a term of a license issued under this chapter.

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(b) An offense under Subsection (2), (3), or (5) is a Class C misdemeanor, unless it is shown on the trial of the offense that the person has been convicted previously under this section, in which event the offense is a Class B misdemeanor. An offense under Subsection (1) or (4) is a Class A misdemeanor. This subsection does not apply to an offense committed under Section 2001.551(b) [Unlawful Bingo; Offense] or Section 2001.552 [Fraudulent Award of Prizes; Offense]. <i>[Statutory Authority: Section 2001.554, Occupations Code]</i></p>
Texas Medical Board	
<p>Physician licenses and permits⁸</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalties 	<p>(a) The board by rule shall prescribe the procedure by which it may impose an administrative penalty. <i>[Statutory Authority: Section 165.002, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited act; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 165.003, Occupations Code]</i></p> <p>(a) If it appears that a person is in violation of or is threatening to violate this subtitle or a rule or order adopted by the board, the attorney general may institute an action for a civil penalty of \$1,000 for each violation.</p> <p>(b) Each day a violation continues constitutes a separate violation. <i>[Statutory Authority: Section 165.101, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates this subtitle [Subtitle B. Physicians] or a rule of the board.</p> <p>(b) If another penalty is not specified for the offense, an offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 165.151, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person practices medicine in this state in violation of this subtitle. (b) Each day a violation continues constitutes a separate offense. (c) An offense under Subsection (a) is a felony of the third degree. <i>[Statutory Authority: Section 165.152, Occupations Code]</i></p> <p>(a) A person commits an offense if the person practices medicine without a license or permit and causes another person: (1) physical or psychological harm; or (2) financial harm. (b) An offense under Subsection (a)(1) is a felony of the third degree. (c) An offense under Subsection (a)(2) is a state jail felony. <i>[Statutory Authority: Section 165.153, Occupations Code]</i></p> <p>(b) A person commits an offense if the person is licensed or regulated under this subtitle, performs surgery on a patient while intoxicated, and, by reason of that conduct, places the patient at a substantial and unjustifiable risk of harm. (c) An offense under this section is a state jail felony. (d) It is an affirmative defense to prosecution under this section that the actor performed the surgery in an emergency. In this subsection, “emergency” means a condition or circumstance in which a reasonable person with education and training similar to that of the actor would assume that the person on whom the surgery was performed was in imminent danger of serious bodily injury or death. <i>[Statutory Authority: Section 165.1535, Occupations Code]</i></p> <p>(a) A person commits an offense if the person makes a false statement: (1) in the person’s application for a license; or (2) under oath to obtain a license or to secure the registration of a license to practice medicine. (b) An offense under this section: (1) constitutes tampering with a governmental record or perjury as provided by the Penal Code; and (2) shall be punished on conviction as provided by that code. <i>[Statutory Authority: Section 165.154, Occupations Code]</i></p> <p>(a) A physician commits an offense if the physician employs or agrees to employ, pays or promises to pay, or rewards or promises to reward any person, firm, association, partnership, or corporation for securing or soliciting a patient or patronage. (b) Each payment, reward, or fee or agreement to pay or accept a reward or fee constitutes a separate offense. (c) A physician commits an offense if the physician accepts or agrees to accept a payment or other thing of value for securing or soliciting patronage for another physician. (e) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 165.155, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>A person, partnership, trust, association, or corporation commits an offense if the person, partnership, trust, association, or corporation, through the use of any letters, words, or terms affixed on stationery or on advertisements, or in any other manner, indicates that the person, partnership, trust, association, or corporation is entitled to practice medicine if the person, partnership, trust, association, or corporation is not licensed to do so. <i>[Statutory Authority: Section 165.156, Occupations Code]</i></p> <p>(a) A person commits an offense if the person unlawfully discloses confidential information described by Section 160.006 [Board Confidentiality] that is possessed by the board. (b) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 165.158, Occupations Code]</i></p> <p>(a) A person commits an offense if the person practices medicine without complying with the registration requirements imposed by this subtitle. (b) An offense under Subsection (a) constitutes the offense of practicing medicine without a license. <i>[Statutory Authority: Section 165.159, Occupations Code]</i></p>
<p>Physician assistant licenses and permits</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The physician assistant board by order may impose an administrative penalty against a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. (b) The penalty may be in an amount not to exceed \$5,000. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. (c) The physician assistant board shall base the amount of the penalty on:</p> <ol style="list-style-type: none"> (1) the severity of patient harm; (2) the severity of economic harm to any person; (3) the severity of any environmental harm; (4) increased potential for harm to the public; (5) any attempted concealment of misconduct; (6) any premeditated or intentional misconduct; (7) the motive for the violation; (8) prior misconduct of a similar or related nature; (9) the license holder’s disciplinary history; (10) prior written warnings or written admonishments from any government agency or official regarding statutes or regulations relating to the misconduct; (11) violation of a board order; (12) failure to implement remedial measures to correct or mitigate harm from the misconduct;

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalty 	<p>(13) lack of rehabilitative potential or likelihood of future misconduct of a similar nature; (14) relevant circumstances increasing the seriousness of the misconduct; and (15) any other matter that justice may require. <i>[Statutory Authority: Section 204.351, Occupations Code]</i></p> <p>(a) A person commits an offense if, without holding a license issued under this chapter, the person: (1) holds the person out as a physician assistant; (2) uses any combination or abbreviation of the term “physician assistant” to indicate or imply that the person is a physician assistant; or (3) acts as a physician assistant. (b) An offense under this section is a <i>felony of the third degree</i>. <i>[Statutory Authority: Section 204.352, Occupations Code]</i></p>
<p>Surgical assistant licenses and permits</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The medical board by order may impose an administrative penalty against a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter. (b) The penalty may be in an amount <i>not to exceed \$5,000</i>. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. (c) The medical board shall base the amount of the penalty on: (1) the severity of patient harm; (2) the severity of economic harm to any person; (3) the severity of any environmental harm; (4) the increased potential for harm to the public; (5) any attempted concealment of misconduct; (6) any premeditated or intentional misconduct; (7) the motive for the violation; (8) any prior misconduct of a similar or related nature; (9) the license holder’s disciplinary history; (10) any prior written warnings or written admonishments from any government agency or official regarding statutes or rules relating to the misconduct; (11) whether the violation is of a board order;</p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(12) the person’s failure to implement remedial measures to correct or mitigate harm from the misconduct; (13) the person’s lack of rehabilitative potential or likelihood of future misconduct of a similar nature; (14) any relevant circumstances increasing the seriousness of the misconduct; and (15) any other matter that justice may require. <i>[Statutory Authority: Section 206.351, Occupations Code]</i></p>
<p>Acupuncturist and acudetox specialist licenses, certifications, and permits</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>The acupuncture board by order may impose an administrative penalty against a person licensed or regulated under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 205.451, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited act; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 205.453, Occupations Code]</i></p> <p>(b) In addition to injunctive relief or any other remedy provided by law, a person who violates this chapter or a rule adopted under this chapter is liable to the state for a civil penalty in an amount not to exceed \$2,000 for each violation.</p> <p>(c) Each day a violation continues or occurs is a separate violation for purposes of imposing a civil penalty. <i>[Statutory Authority: Section 205.402, Occupations Code]</i></p> <p>(a) Except as provided by Section 205.303 [Acudetox Specialist], a person commits an offense if the person practices acupuncture in this state without a license issued under this chapter.</p> <p>(b) Each day a person practices acupuncture in violation of Subsection (a) constitutes a separate offense.</p> <p>(c) An offense under Subsection (a) is a felony of the third degree. <i>[Statutory Authority: Section 205.401, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Board of Nursing	
<p>Nursing licenses</p> <ul style="list-style-type: none"> • Administrative penalties • Civil penalty • Criminal penalty 	<p>The board may impose an administrative penalty on a person licensed or regulated under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 301.501, Occupations Code]</i></p> <p>(a) The amount of the administrative penalty may not exceed \$5,000 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited acts; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts made to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 301.502, Occupations Code]</i></p> <p>(a) A person who violates Section 301.451 [Certain Prohibited Practices] or Section 301.251 [License Required] is liable to the state for a civil penalty not to exceed \$1,000 a day.</p> <p>(b) The civil penalty may be collected in a suit initiated by the board. <i>[Statutory Authority: Section 301.502, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates Section 301.451 [Certain Prohibited Practices] or Section 301.251 [License Required].</p> <p>(b) An offense under Subsection (a) is a Class A misdemeanor, except that if it is shown on the trial of the offense that the defendant has been previously convicted under Subsection (a), the offense is a felony of the third degree.</p> <p>(c) Each day of violation constitutes a separate offense. <i>[Statutory Authority: Section 301.554, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person violates this subtitle or any rule adopted under this subtitle relating to unlawfully engaging in the practice of pharmacy or unlawfully operating a pharmacy.</p> <p>(b) A person commits an offense if the person knowingly violates the licensing requirements of this subtitle or Section 558.001 [License Required], 558.002 [Unauthorized Acquisition of License], or 560.002 [Use of “Pharmacy”; Providing Pharmacy Services Without License].</p> <p>(c) A person commits an offense if the person violates Section 560.001 [License Required] or 560.003 [Prohibited Advertising of Pharmacy].</p> <p>(d) Each day of violation under Subsection (b) or (c) is a separate offense.</p> <p>(e) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 566.151, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates this chapter.</p> <p>(b) An offense under this chapter is a Class C misdemeanor. <i>[Statutory Authority: Section 567.003, Occupations Code]</i></p>
Executive Council of Physical Therapy and Occupational Therapy Examiners	
<p>Physical therapy licenses</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The board may impose an administrative penalty on a person licensed or regulated under this chapter or a facility registered under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 453.401, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$200 for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of a prohibited act; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the history of previous violations; (3) the amount necessary to deter future violations; (4) efforts to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 453.402, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) A person found by a court to have violated this chapter is liable to the state for a civil penalty of <i>\$200 for each day the violation continues.</i> <i>[Statutory Authority: Section 453.453, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly violates this chapter. (b) An offense under this section is a <i>Class A misdemeanor.</i> (c) Each day of violation constitutes a separate offense. <i>[Statutory Authority: Section 453.455, Occupations Code]</i></p>
<p>Occupational therapy licenses</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>(a) The board may impose an administrative penalty against a person licensed or facility registered under this chapter who violates this chapter or a rule or order adopted under this chapter. (b) The penalty <i>may not exceed \$200</i>, and each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty. The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts to correct the violation; and (5) any other matter that justice requires. <p><i>[Statutory Authority: Section 454.3521, Occupations Code]</i></p> <p>(a) A person found by a court to have violated this chapter is liable to this state for a civil penalty of <i>\$200 for each day the violation continues.</i> <i>[Statutory Authority: Section 454.353, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly violates this chapter. (b) An offense under this section is a <i>Class A misdemeanor.</i> (c) Each day of violation constitutes a separate offense. <i>[Statutory Authority: Section 454.355, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person professes to be a podiatrist or practices or assumes the duties incident to the practice of podiatry without holding a license to practice podiatry.</p> <p>(b) An offense under this section is punishable by:</p> <ul style="list-style-type: none"> (1) a fine of not less than \$50 or more than \$500; (2) confinement in the county jail for not less than 30 days or more than six months; or (3) both the fine and confinement. <p><i>[Statutory Authority: Section 202.605, Occupations Code]</i></p> <p>(a) A podiatrist commits an offense if the podiatrist amputates a human foot.</p> <p>(b) An offense under this section is punishable by:</p> <ul style="list-style-type: none"> (1) a fine of not less than \$100 or more than \$500; (2) confinement in the county jail for not less than 30 days or more than six months; or (3) both the fine and confinement. <p><i>[Statutory Authority: Section 202.606, Occupations Code]</i></p>
<p>Texas Polygraph Examiners Board</p>	
<p>Polygraph examiner license</p> <ul style="list-style-type: none"> • Criminal penalties 	<p>(a) A person commits an offense if the person:</p> <ul style="list-style-type: none"> (1) violates this chapter other than Section 1703.306 [Confidentiality of Examination Results]; or (2) falsely represents that the person: <ul style="list-style-type: none"> (A) has been or is a polygraph examiner or trainee; or (B) is qualified to use an instrument to detect deception or verify the truth of a statement. <p>(b) An offense under this section is a misdemeanor punishable by:</p> <ul style="list-style-type: none"> (1) a fine of not less than \$100 or more than \$1,000; (2) confinement in county jail for a term not to exceed six months; or (3) both the fine and confinement. <p><i>[Statutory Authority: Section 1703.402, Occupations Code]</i></p> <p>A person commits a Class B misdemeanor if the person, with criminal negligence, violates Section 1703.306.</p> <p><i>[Statutory Authority: Section 1703.403, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas State Board of Examiners of Psychologists	
<p>Psychology licenses</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalty 	<p>The board may impose an administrative penalty on a person licensed or regulated under this chapter if the person violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 501.451, Occupations Code]</i></p> <p>(a) The amount of an administrative penalty may not exceed \$1,000. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.</p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited act; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts made to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 501.452, Occupations Code]</i></p> <p>(a) A person who violates this chapter or a rule or order adopted under this chapter is liable to the state for a civil penalty of \$1,000 for each day of violation. <i>[Statutory Authority: Section 501.502, Occupations Code]</i></p> <p>(a) A person commits an offense if the person engages in the practice of psychology or represents that the person is a psychologist in violation of this chapter.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p>(c) Each day a violation occurs is a separate offense. <i>[Statutory Authority: Section 501.503, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Department of Public Safety of the State of Texas	
<p>Private security licenses and registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty • Civil penalty • Criminal penalties 	<p>In addition to any other disciplinary action taken by the department, and subject to the board’s final order in a hearing under this subchapter, the department may impose an administrative penalty on a person licensed, commissioned, or registered under this chapter who violates this chapter or a rule or order adopted under this chapter. <i>[Statutory Authority: Section 1702.401, Occupations Code]</i></p> <p>(a) Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The amount of each separate violation may not exceed \$500.</p> <p>(b) The amount of a violation shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the economic harm to property or the public caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p><i>[Statutory Authority: Section 1702.402, Occupations Code]</i></p> <p>(a) A person who is not licensed under this chapter, who does not have a license application pending, and who violates this chapter may be assessed a civil penalty to be paid to the state not to exceed \$10,000 for each violation.</p> <p>(b) A person who contracts with or employs a person who is required to hold a license, certificate of registration, or security officer commission under this chapter knowing that the person does not hold the required license, certificate, or commission or who otherwise, at the time of contract or employment, is in violation of this chapter may be assessed a civil penalty to be paid to the state in an amount not to exceed \$10,000 for each violation.</p> <p><i>[Statutory Authority: Section 1702.381, Occupations Code]</i></p> <p>(a) A person commits an offense if the person knowingly falsifies fingerprints or photographs submitted under Section 1702.110 [Application for License].</p> <p>(b) An offense under this section is a felony of the third degree.</p> <p><i>[Statutory Authority: Section 1702.384, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A license holder commits an offense if the license holder:</p> <ol style="list-style-type: none"> (1) operates a guard dog company; and (2) fails to provide necessary food, care, or shelter for an animal used by the guard dog company. <p>(b) An offense under this section is a <i>Class A misdemeanor</i>. <i>[Statutory Authority: Section 1702.385, Occupations Code]</i></p> <p>(a) A person commits an offense if the person contracts with or employs a person who is required to hold a license, registration, certificate, or commission under this chapter knowing that the person does not hold the required license, registration, certificate, or commission or who otherwise, at the time of contract or employment, is in violation of this chapter.</p> <p>(b) An offense under Subsection (a) is a <i>Class A misdemeanor</i>. <i>[Statutory Authority: Section 1702.386, Occupations Code]</i></p> <p>(a) A person commits an offense if the person contracts with or is employed by a bail bond surety as defined by Chapter 1704 [Regulation of Bail Bond Sureties] to secure the appearance of a person who has violated Section 38.10, Penal Code [Bail Jumping and Failure to Appear], unless the person is:</p> <ol style="list-style-type: none"> (1) a peace officer; (2) an individual licensed as a private investigator or the manager of a licensed investigations company; or (3) a commissioned security officer employed by a licensed guard company. <p>(b) An offense under Subsection (a) is a <i>state jail felony</i>. <i>[Statutory Authority: Section 1702.3863, Occupations Code]</i></p> <p>(a) A person commits an offense if the person fails to surrender or immediately return to the commission the person's registration, commission, pocket card, or other identification issued to the person by the commission on notification of a summary suspension or summary denial under Section 1702.364 [Summary Actions].</p> <p>(b) An offense under this section is a <i>Class A misdemeanor</i>. <i>[Statutory Authority: Section 1702.387, Occupations Code]</i></p> <p>(a) A person commits an offense if the person violates a provision of this chapter for which a specific criminal penalty is not prescribed.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor, except that the offense is a felony of the third degree if the person has previously been convicted under this chapter of failing to hold a license, registration, certificate, or commission that the person is required to hold under this chapter.</i> <i>[Statutory Authority: Section 1702.388, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Texas Racing Commission	
<p>Licenses</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalties 	<p>(a) If the commission determines that a person regulated under this Act has violated this Act or a rule or order adopted under this Act in a manner that constitutes a ground for a disciplinary action under this Act, the commission may assess an administrative penalty against that person as provided by this section.</p> <p>(b) The commission may assess the administrative penalty in an amount <i>not to exceed \$10,000 for each violation</i>. In determining the amount of the penalty, the commission shall consider the seriousness of the violation. <i>[Statutory Authority: Section 15.03, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>If no specific penalty is provided for a provision of this Act that is a penal offense, a person who violates the provision commits a <i>state jail felony</i>. <i>[Statutory Authority: Section 15.01, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if, with an intent to deceive and an intent to obtain a benefit, the person knowingly makes a false statement or offers, agrees to convey, or conveys false information about a greyhound race or horse race to another.</p> <p>(b) Except as provided by Subsection (c), an offense under this section is a <i>Class A misdemeanor</i>.</p> <p>(c) An offense under this section is a <i>state jail felony if:</i></p> <p style="padding-left: 20px;"><i>(1) the actor is a licensee under this Act or an employee or member of the commission and the actor knowingly represents that a member or employee of the commission or a person licensed by the commission is the source of the false information;</i></p> <p style="padding-left: 20px;"><i>or</i></p> <p style="padding-left: 20px;"><i>(2) the false statement or information was contained in racing selection information provided to the public.</i></p> <p><i>[Statutory Authority: Section 14.01, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person knowingly or intentionally possesses or displays a credential or false credential that identifies the person as the holder of the credential and the person knows:</p> <p style="padding-left: 20px;">(1) that the credential is not issued to the person; or</p> <p style="padding-left: 20px;">(2) the person is not a licensee.</p> <p>(b) An offense under this section is a <i>Class C misdemeanor</i>. <i>[Statutory Authority: Section 14.02, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person is a licensee and the person knowingly or intentionally permits, facilitates, or allows access, to an enclosure where races are conducted, to another person who the person knows:</p> <ol style="list-style-type: none"> (1) has engaged in bookmaking, touting, or illegal wagering; (2) derives income from illegal activities or enterprises; (3) has been convicted of a violation of this Act; or (4) is excluded by the commission from entering a racetrack facility. <p>(b) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 14.04, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person knowingly makes a material and false, incorrect, or deceptive statement to another who is conducting an investigation or exercising discretion under this Act or a rule adopted under this Act.</p> <p>(b) In this section, the term “statement” means a representation of fact and includes:</p> <ol style="list-style-type: none"> (1) a written or oral statement; or (2) a sworn or unsworn statement. <p>(c) An offense under this section is a state jail felony unless the statement was material in a commission action relating to a racetrack license, in which event the offense is a felony of the third degree. <i>[Statutory Authority: Section 14.06, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person with criminal negligence refuses, denies, or hinders entry to another who is exercising or attempting to exercise a power of entry under this Act or a commission rule.</p> <p>(b) A person commits an offense if the person with criminal negligence refuses, denies, hinders, interrupts, disrupts, impedes, or otherwise interferes with a search by a person exercising or attempting to exercise a power to search under this Act or a commission rule.</p> <p>(c) An offense under this section is a Class B misdemeanor. <i>[Statutory Authority: Section 14.07, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person intentionally or knowingly forges a pari-mutuel ticket with the intent to defraud or harm another.</p> <p>(c) An offense under this section is a felony of the third degree. <i>[Statutory Authority: Section 14.08, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person impersonates a licensee with the intent to induce another person to submit to the actor’s purported authority as a licensee or to rely on the actor’s actions as an alleged licensee.</p> <p>(b) An offense under this section is a Class A misdemeanor. <i>[Statutory Authority: Section 14.09, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) A person commits an offense if the person possesses a prohibited device or prohibited substance on a racetrack facility, in an enclosure, or at a training facility.</p> <p>(b) An offense under Subsection (a) of this section is a <i>Class A misdemeanor, unless the actor possessed the device or substance with the intent to influence or affect the outcome of a horse or greyhound race in a manner contrary to this Act or a commission rule, in which event it is a state jail felony.</i></p> <p>(c) A person commits an offense if, with the intent to influence or affect a horse or greyhound race in a manner contrary to this Act or a commission rule, the person:</p> <ol style="list-style-type: none"> (1) uses or offers to use a prohibited device; or (2) uses or offers to use a prohibited substance. <p>(d) An offense under Subsection (c) of this section is a <i>felony of the third degree.</i> <i>[Statutory Authority: Section 14.10, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if, with the intent to influence or affect the outcome of a race in a manner contrary to this Act or a commission rule, the person offers, confers, agrees to confer on another, or solicits, accepts, or agrees to accept from another person any benefit as consideration for the actions of a person who receives the benefit relating to the conduct, decision, opinion, recommendation, vote, or exercise of discretion as a licensee or other person associated with or interested in any stable, kennel, horse, greyhound, or horse or greyhound race.</p> <p>(b) An offense under this section is a <i>state jail felony, unless the recipient of the benefit is a steward, judge, or other racetrack official exercising authority over a horse or greyhound race that the person providing or offering the benefit intended to influence, in which event it is a felony of the third degree.</i> <i>[Statutory Authority: Section 14.11, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person with criminal negligence permits, facilitates, or allows:</p> <ol style="list-style-type: none"> (1) wagering by a minor at a racetrack facility; or (2) entry by a child to the viewing section of a racetrack facility. <p>(b) An offense under Subsection (a) of this section is a <i>Class B misdemeanor.</i></p> <p>(c) A person commits an offense if the person is a minor and intentionally or knowingly engages in wagering at a racetrack.</p> <p>(d) An offense under Subsection (c) of this section is a <i>Class C misdemeanor.</i></p> <p>(e) It is an affirmative defense to prosecution of an offense under Subsection (a)(2) that a child was accompanied by and was in the physical presence of a parent, guardian, or spouse who was 21 years of age or older.</p> <p>(f) It is an affirmative defense to prosecution of an offense under Subsection (a) of this section that the minor falsely represented the minor's age by displaying to the person an apparently valid Texas driver's license or identification card issued by the Department of Public Safety that contains a physical description consistent with the minor's appearance. <i>[Statutory Authority: Section 14.13, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>A person commits an offense if:</p> <ul style="list-style-type: none"> (1) the person participates, permits, or conducts a greyhound or horse race at a licensed racetrack facility; (2) the person wagers on the partial or final outcome of the greyhound or horse race or knows or reasonably should know that another is betting on the partial or final outcome of the race; and (3) the race is not part of a performance or meeting conducted under this Act or commission rule. <p><i>[Statutory Authority: Section 14.14, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if, without a license, the person participates or is otherwise involved in, in any capacity, greyhound racing or horse racing with pari-mutuel wagering.</p> <p>(b) It is an affirmative defense to prosecution under Subsection (a) of this section that the actor was a spectator or a person placing a wager.</p> <p>(c) An offense under Subsection (a) of this section is a Class A misdemeanor, unless the actor was required by this Act to obtain a racetrack license, in which event it is a state jail felony.</p> <p><i>[Statutory Authority: Section 14.15, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person:</p> <ul style="list-style-type: none"> (1) conducts a greyhound or horse race without a racetrack license; and (2) knows or reasonably should know that another person is betting on the final or partial outcome of the race. <p>(b) An offense under this section is a felony of the third degree.</p> <p><i>[Statutory Authority: Section 14.16, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>(a) A person commits an offense if the person intentionally or knowingly:</p> <ul style="list-style-type: none"> (1) fails or refuses to display a credential to another after a lawful request; or (2) fails or refuses to give the person’s name, residence address, or date of birth to another after a lawful request. <p>(b) In this section, “lawful request” means a request from the commission, an authorized agent of the commission, the director or a commissioned officer of the Department of Public Safety, a peace officer, or a steward or judge at any time and any restricted location that:</p> <ul style="list-style-type: none"> (1) is on a racetrack facility; and (2) is not a public place. <p>(c) Except as provided by Subsection (d) of this section, an offense under this section is a Class B misdemeanor.</p> <p>(d) At the punishment stage of a trial for an offense under Subsection (a)(1) of this section, the defendant may raise an issue as to whether the defendant was a licensee at the time of the offense. If the defendant proves the issue, the offense is a Class C misdemeanor.</p> <p><i>[Statutory Authority: Section 14.17, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p> <p>A person who is subject to prosecution for a penal offense under this Act and another law may be prosecuted under either law.</p> <p><i>[Statutory Authority: Section 14.19, Texas Racing Act (Art. 179e et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Railroad Commission of Texas	
<p>Compressed natural gas (CNG) and liquefied natural gas (LNG) licenses</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalty 	<p>(a) If a person violates this chapter, a rule of the commission adopted under this chapter, or a term, condition, or provision of a license or registration issued by the commission under this chapter and the violation results in pollution of the air or water of this state or poses a threat to the public safety, the person may be assessed a civil penalty by the commission.</p> <p>(b) The penalty may not exceed \$10,000 a day for each violation. Each day a violation continues may be considered a separate violation for purposes of penalty assessments.</p> <p>(c) In determining the amount of the penalty, the commission shall consider the person’s history of previous violations of this chapter, the seriousness of the violation, any hazard to the health or safety of the public, and the demonstrated good faith of the person charged.</p> <p><i>[Statutory Authority: Section 116.143, Natural Resources Code]</i></p> <p>(a) A person who knowingly violates this chapter or rules adopted by the commission under this chapter commits an offense.</p> <p>(b) An offense under this section is punishable by a fine of not less than \$100 nor more than \$5,000.</p> <p>(c) Each day a violation continues constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 116.142, Natural Resources Code]</i></p>
<p>Liquefied petroleum gas (LPG) license</p> <ul style="list-style-type: none"> • Civil penalty • Criminal penalties 	<p>A person forfeits to the state a civil penalty of not less than \$25 nor more than \$200 if the person:</p> <ol style="list-style-type: none"> (1) fails or refuses to comply with or violates this subchapter [Subchapter I. Alternative Fuels Research and Education]; or (2) fails or refuses to comply with or violates a commission rule for administering or enforcing this subchapter. <p><i>[Statutory Authority: Section 113.248, Natural Resources Code]</i></p> <p>(a) In addition to injunctive relief and other penalties provided in this chapter, a person who knowingly violates or fails to comply with this chapter or rules adopted under this chapter is guilty of a Class C misdemeanor and is punishable by a fine of not less than \$100 nor more than the maximum fine as set out in Section 12.23⁹ [Class C Misdemeanor] of the Penal Code.</p> <p>(b) A person previously convicted under this section who knowingly violates or fails to comply with this chapter is guilty of a Class A misdemeanor punishable by a fine of not less than the maximum fine allowed by law for a Class C misdemeanor, nor more than the maximum fine as set out in Section 12.21¹⁰ [Class A Misdemeanor] of the Penal Code.</p> <p>(c) A penalty prescribed by this section is in addition to injunctive relief and other penalties provided by this chapter.</p> <p>(d) Each day the violation or failure to comply continues constitutes a separate offense.</p> <p><i>[Statutory Authority: Section 113.232, Natural Resources Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(a) Any person who knowingly sells, furnishes, delivers, or supplies LPG for storage in or use or consumption by or through a container, appliance, transport, or system to which a warning tag is attached is guilty of a <i>misdemeanor and on conviction is punishable by a fine of not less than \$50 and not more than \$2,000.</i> <i>[Statutory Authority: Section 113.235, Natural Resources Code]</i></p> <p>An unauthorized person who knowingly removes, destroys, or in any way obliterates a warning tag attached to a container, appliance, transport, or system is guilty of a <i>misdemeanor and on conviction is punishable by a fine of not less than \$50 and not more than \$2,000.</i> <i>[Statutory Authority: Section 113.236, Natural Resources Code]</i></p> <p>(a) A person who fails to file a report as provided by this subchapter or who possesses a fee collected or payable under this subchapter [Subchapter I. Alternative Fuels Research and Education] and who fails to remit the fee to the commission at the time and in the manner required by this subchapter and rules of the commission shall pay a penalty of <i>five percent of the amount of the fee due and payable.</i> If the person fails to file the report or pay the fee before the 30th day after the date on which the fee or report is due, the person shall pay a penalty of <i>an additional five percent of the amount of the fee due and payable.</i></p> <p>(b) The commission may add a penalty of <i>75 percent of the amount of the fee or penalty due</i> if failure to file the report or pay the fee when it comes due is attributable to fraud or an intent to evade the application of this section or a rule made under this subchapter. <i>[Statutory Authority: Section 113.247, Natural Resources Code]</i></p> <p>(a) A person commits an offense if the person makes and delivers to the commission a report required under this subchapter to be made and delivered to the commission, if the report contains false information. An offense under this subsection is a <i>felony of the third degree.</i></p> <p>(b) The court may not fine a corporation or association under Section 12.51(c), Penal Code¹¹ [Authorized Punishments for Corporations and Associations], unless the amount of the fine under that subsection is greater than the amount that could be fixed by the court under Section 12.51(b), Penal Code.¹²</p> <p>(c) In addition to a sentence imposed on a corporation, the court shall give notice of the conviction to the attorney general as required by Article 17A.09, Code of Criminal Procedure. <i>[Statutory Authority: Section 113.250, Natural Resources Code]</i></p>
Texas Real Estate Commission	
<p>Broker license; salesperson license</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>The commission may impose an administrative penalty on a person who violates this chapter or a rule adopted or order issued by the commission under this chapter. <i>[Statutory Authority: Section 1101.701, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Civil penalty 	<p>(a) The amount of an administrative penalty may not exceed \$5,000 for each violation. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty if the commission determines that the person charged:</p> <ol style="list-style-type: none"> (1) engaged in an activity for which a broker or salesperson license is required without holding the license; and (2) was not licensed by the commission as a broker or salesperson at any time in the four years preceding the date of the violation. <p>(b) In determining the amount of the penalty, the administrator shall consider:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the prohibited acts; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 1101.702, Occupations Code]</i></p> <p>(a) In addition to injunctive relief under Sections 1101.751 [Injunctive Action Brought by Commission] and 1101.752 [Additional Injunctive Authority], a person who receives a commission or other consideration as a result of acting as a broker or salesperson without holding a license or certificate of registration under this chapter is liable to the state for a civil penalty of not less than the amount of money received or more than three times the amount of money received.</p> <p>(b) The commission may recover the civil penalty, court costs, and reasonable attorney’s fees on behalf of the state.</p> <p><i>[Statutory Authority: Section 1101.753, Occupations Code]</i></p>
<p>Inspector license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalties 	<p>(a) The commission may impose an administrative penalty as provided by Subchapter O, Chapter 1101 [Administrative Penalty. Subchapter applies generally to real estate brokers and salespersons], on a person who violates this chapter or a rule adopted or order issued by the commission under this chapter or Chapter 1101.</p> <p><i>[Statutory Authority: Section 1102.403, Occupations Code]</i></p> <p>(a) A person commits an offense if the person wilfully violates or fails to comply with this chapter or a commission order.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 1102.406, Occupations Code]</i></p> <p>(a) A person commits an offense if the person does not hold a license under this chapter and knowingly engages in the business of real estate inspecting, including performing an inspection while the person’s license is revoked or suspended.</p> <p>(b) An offense under this section is a Class A misdemeanor.</p> <p><i>[Statutory Authority: Section 1102.407, Occupations Code]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>(c) A violation of Section 418.001(2) or (12) [Grounds for Disciplinary Action; subsections relate to misappropriation or misapplication of trust funds in the practice of residential construction and statutory or common-law fraud or misappropriation of funds] is punishable by a penalty not to exceed \$100,000. <i>[Statutory Authority: Section 419.002, Property Code]</i></p>
Department of Savings and Mortgage Lending	
<p>Licenses and registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>(a) The commissioner may impose an administrative penalty on a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter.</p> <p>(b) The amount of the penalty may not exceed \$2,500, and each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty. The amount shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation; (2) the history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts to correct the violation; and (5) any other matter that justice may require. <p><i>[Statutory Authority: Section 156.302, Finance Code]</i></p>
State Securities Board	
<p>Registrations (generally)</p> <ul style="list-style-type: none"> • Administrative penalty 	<p>A. After giving notice and opportunity for a hearing, the commissioner may issue an order which assesses an administrative fine against any person or company found to have:</p> <ol style="list-style-type: none"> (1) engaged in fraud or a fraudulent practice in connection with: <ol style="list-style-type: none"> (A) the offer for sale or sale of a security; or (B) the rendering of services as an investment adviser or investment adviser representative; (2) made an offer containing a statement that is materially misleading or is otherwise likely to deceive the public; or (3) engaged in an act or practice that violates this Act or a board rule or order. <p>B. Any administrative fine assessed under this section must be in an amount that does not exceed \$10,000 for a single violation or \$100,000 for multiple violations in a single proceeding or a series of related proceedings.</p> <p>C. For purposes of determining the amount of an administrative fine assessed under this section, the commissioner shall consider factors set out in guidelines established by the board.</p> <p><i>[Statutory Authority: Section 581-23-1, Securities Act (Art. 581 et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<ul style="list-style-type: none"> • Criminal penalties 	<p>Any person who shall:</p> <p>A. Sell, offer for sale or delivery, solicit subscriptions or orders for, dispose of, invite offers for, or who shall deal in any other manner in any security or securities without being a registered dealer or agent as in this Act provided shall be deemed guilty of a <i>felony, and upon conviction thereof shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not less than two or more than 10 years, or by both such fine and imprisonment.</i></p> <p>B. Sell, offer for sale or delivery, solicit subscriptions to and orders for, dispose of, invite orders for, or who shall deal in any other manner in any security or securities issued after September 6, 1955, unless said security or securities have been registered or granted a permit as provided in Section 7 of this Act [Permit or Registration for Issue by Commissioner; Information for Issuance of Permit or Registration], shall be deemed guilty of a <i>felony, and upon conviction thereof shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not less than two or more than 10 years, or by both such fine and imprisonment.</i></p> <p>C. In connection with the sale, offering for sale or delivery of, the purchase, offer to purchase, invitation of offers to purchase, invitations of offers to sell, or dealing in any other manner in any security or securities, whether or not the transaction or security is exempt under Section 5 [Exempt Transactions] or 6 [Exempt Securities] of this Act, directly or indirectly:</p> <ul style="list-style-type: none"> (1) engage in any fraud or fraudulent practice; (2) employ any device, scheme, or artifice to defraud; (3) knowingly make any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (4) engage in any act, practice or course of business which operates or will operate as a fraud or deceit upon any person, is guilty of a <i>felony and upon conviction shall be:</i> <ul style="list-style-type: none"> <i>(a) imprisoned for not less than 2 or more than 10 years and fined not more than \$10,000, if the amount involved in the offense is less than \$10,000;</i> <i>(b) imprisoned for not less than 2 or more than 20 years and fined not more than \$10,000, if the amount involved in the offense is \$10,000 or more but less than \$100,000; or</i> <i>(c) imprisoned for life or for not less than 5 or more than 99 years and fined not more than \$10,000, if the amount involved is \$100,000 or more.</i> <p>D. Knowingly violate a cease and desist order issued by the commissioner under the authority of Section 23A, 23B [Cease and Desist Orders; Cease Publication Orders; List of Securities Offered], or 23-2 [Emergency Cease and Desist Order] of this Act shall be deemed guilty of a <i>felony, and upon conviction thereof shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
	<p>E. Knowingly make or cause to be made, in any document filed with the commissioner or in any proceeding under this Act, whether or not such document or proceeding relates to a transaction or security exempt under the provisions of Section 5 or 6 of this Act, any statement which is, at the time and in the light of the circumstances under which it is made, false or misleading in any material respect shall be deemed guilty of a felony, and upon conviction thereof shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not less than two or more than 10 years, or by both such fine and imprisonment.</p> <p>F. Knowingly make any false statement or representation concerning any registration made under the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.</p> <p>G. Make an offer of any security within this state that is not in compliance with the requirements governing offers set forth in Section 22 of this Act [Regulation of Offers] shall be deemed guilty of a felony, and upon conviction thereof, shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.</p> <p>H. Knowingly make an offer of any security within this state prohibited by a cease publication order issued by the commissioner under Section 23C of this Act shall be deemed guilty of a felony, and upon conviction thereof, shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.</p> <p>I. Render services as an investment adviser or an investment adviser representative without being registered as required by this Act shall be deemed guilty of a felony and on conviction of the felony shall be sentenced to pay a fine of not more than \$5,000 or imprisonment in the penitentiary for not less than two or more than 10 years, or by both the fine and imprisonment. <i>[Statutory Authority: Section 581-29, Securities Act (Art. 581 et seq., V.T.C.S.)]</i></p> <p>B. If conduct constituting an offense under Section 29 of this Act [Penal Provisions] is performed by an agent acting in behalf of a corporation or association and within the scope of the person’s office or employment, the corporation or association is criminally responsible for the offense only if its commission was authorized, requested, commanded, performed, or recklessly tolerated by:</p> <ul style="list-style-type: none"> (1) a majority of the governing board acting in behalf of the corporation or association; or (2) a high managerial agent acting in behalf of the corporation or association and within the scope of the high managerial agent’s office or employment. <p>C. It is an affirmative defense to prosecution of a corporation or association under Subsection B of this section that the high managerial agent having supervisory responsibility over the subject matter of the offense employed due diligence to prevent its commission. <i>[Statutory Authority: Section 581-29-3, Securities Act (Art. 581, et seq., V.T.C.S.)]</i></p>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
Board of Tax Professional Examiners	
Registrations (generally) <ul style="list-style-type: none"> • Criminal penalties 	(a) A person commits an offense if the person does not register with the board as required by Section 1151.151 [Registration Required; Exemption]. (b) An offense under this section is a Class C misdemeanor . <i>[Statutory Authority: Section 1151.251, Occupations Code]</i> (a) A person commits an offense if the person performs an appraisal, assessment, or collection function while the person's registration or certification with the board is revoked or suspended. (b) An offense under this section is a Class B misdemeanor . <i>[Statutory Authority: Section 1151.252, Occupations Code]</i>
Texas Department of Transportation	
Converter license, manufacturer or distributor license, motor vehicle franchised dealer license, motor vehicle lessor license, representative license, service-only facility license, vehicle lease facilitator license <ul style="list-style-type: none"> • Civil penalty 	(a) If, after a proceeding under this chapter and board rules, the board determines that a person is violating or has violated this chapter, a rule adopted or order issued under this chapter, or Section 503.038(a), Transportation Code [Cancellation of General Distinguishing Number], the board may impose a civil penalty. The amount of the penalty may not exceed \$10,000 for each violation. Each act of violation and each day a violation continues is a separate violation. (b) In determining the amount of the penalty, the board shall consider: <ol style="list-style-type: none"> (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of any prohibited act, and the harm or potential harm to the safety of the public; (2) the economic damage to the public caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <i>[Statutory Authority: Section 2301.801, Occupations Code]</i>

Table 2. Statutory Penalties for Violations Relating to Occupational Licenses¹

Type of License and Penalty	Penalty Description and Statutory Authority
<p>Salvage vehicle dealer license</p> <ul style="list-style-type: none"> • Criminal penalty 	<p>(a) A person commits an offense if the person knowingly violates:</p> <ol style="list-style-type: none"> (1) a provision of this chapter other than Subchapter G [Motor Vehicle Salvage Yards in Certain Counties]; or (2) a rule adopted under a provision of this chapter other than Subchapter G. <p>(b) A person commits an offense if the person knowingly violates Subchapter G.</p> <p>(c) An offense under Subsection (a) is a <i>Class A misdemeanor unless it is shown on the trial of the offense that the defendant has been previously convicted of an offense under that subsection, in which event the offense is punishable as a state jail felony.</i></p> <p>(d) An offense under Subsection (b) is a <i>Class C misdemeanor.</i></p> <p>[Statutory Authority: Section 2302.353, Occupations Code]</p>
<p>Texas Board of Veterinary Medical Examiners</p>	
<p>Veterinarian license</p> <ul style="list-style-type: none"> • Administrative penalty • Criminal penalty 	<p>The board may impose an administrative penalty on a person, including a corporation, organization, business trust, estate, trust, partnership, association, or other legal entity who violates this chapter or a rule adopted or order issued under this chapter.</p> <p>[Statutory Authority: Section 801.451, Occupations Code]</p> <p>(a) The amount of an administrative penalty <i>may not exceed \$5,000 for each violation per day.</i></p> <p>(b) The amount of the penalty shall be based on:</p> <ol style="list-style-type: none"> (1) the seriousness of the violation, including: <ol style="list-style-type: none"> (A) the nature, circumstances, extent, and gravity of any prohibited act; and (B) the hazard or potential hazard created to the health, safety, or economic welfare of the public; (2) the economic harm to property or the environment caused by the violation; (3) the history of previous violations; (4) the amount necessary to deter a future violation; (5) efforts to correct the violation; and (6) any other matter that justice may require. <p>[Statutory Authority: Section 801.452, Occupations Code]</p> <p>(a) A person, including an entity, commits an offense if the person violates this chapter.</p> <p>(b) An offense under this section is a <i>Class A misdemeanor.</i></p> <p>[Statutory Authority: Section 801.504, Occupations Code]</p>

Notes

¹ There are no statutory penalties relating to certificates administered by the State Board for Educator Certification.

² General administrative, civil, and criminal penalties of Chapter 431, Health and Safety Code (the Food, Drug, and Cosmetic Act) apply.

³ Occupations Code

⁴ Section 32.45(c), Penal Code, provides that an offense under this section is: (1) a Class C misdemeanor if the value of the property misapplied is less than \$20; (2) a Class B misdemeanor if the value of the property misapplied is \$20 or more but less than \$500; (3) a Class A misdemeanor if the value of the property misapplied is \$500 or more but less than \$1,500; (4) a state jail felony if the value of the property misapplied is \$1,500 or more but less than \$20,000; (5) a felony of the third degree if the value of the property misapplied is \$20,000 or more but less than \$100,000; (6) a felony of the second degree if the value of the property misapplied is \$100,000 or more but less than \$200,000; or (7) a felony of the first degree if the value of the property misapplied is \$200,000 or more.

An offense described by Subsections (1)-(6) is increased to the next higher category of offense if it is shown on the trial of the offense that the offense was committed against an elderly individual.

⁵ There are no statutory penalties relating to elevator contractor and inspector licenses, which are administered by the Texas Department of Insurance.

⁶ Section 51.302, Occupations Code, provides that the amount of an administrative penalty assessed by the commission or executive director may not exceed \$5,000 per day for each violation and that each day a violation continues or occurs is a separate violation for purposes of imposing a penalty. The provision requires the amount of the penalty to be based on: (1) the seriousness of the violation; (2) the respondent's history of previous violations; (3) the amount necessary to deter a future violation; (4) efforts made by the respondent to correct the violation; and (5) any other matter that justice may require. In addition, the provision requires the commission, by rule or by procedure published in the Texas Register, to establish a written enforcement plan that provides notice to license holders of the specific ranges of penalties that apply to specific alleged violations and the criteria by which the department determines the amount of a proposed administrative penalty.

⁷ Section 51.352, Occupations Code, authorizes the attorney general or the executive director to institute an action for injunctive relief to restrain a violation by and to collect a civil penalty from a person that appears to be in violation of or threatening to violate a law establishing a regulatory program administered by the department or a rule or order of the commission or executive director related to the regulatory program. The provision does not state a specific or maximum amount for such a penalty. In addition, the provision authorizes the attorney general and the department to recover reasonable expenses incurred in obtaining injunctive relief under this section, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition expenses.

⁸ Includes physician-in-training permit.

⁹ Section 12.23, Penal Code, provides that an individual found guilty of a Class C misdemeanor shall be punished by a fine not to exceed \$500.

¹⁰ Section 12.21, Penal Code, provides that an individual found guilty of a Class A misdemeanor shall be punished by: (1) a fine not to exceed \$4,000; (2) confinement in jail for a term not to exceed one year; or (3) both such fine and confinement.

¹¹ Section 12.51(c), Penal Code, provides that in lieu of other fines authorized by that section, if a court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss through the commission of a felony or Class A or Class B misdemeanor, the court may sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed double the amount gained or caused by the corporation or association to be lost or damaged, whichever is greater.

¹² Section 12.51(b), Penal Code, provides that if a corporation or association is adjudged guilty of an offense that provides a penalty including imprisonment, or that provides no specific penalty, a court may sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed: (1) \$20,000 if the offense is a felony of any category; (2) \$10,000 if the offense is a Class A or Class B misdemeanor; (3) \$2,000 if the offense is a Class C misdemeanor; or (4) \$50,000 if, as a result of an offense classified as a felony or Class A misdemeanor, an individual suffers serious bodily injury or death.

