This State of Texas Act takes effect September 1, 2017.

NOTICE TO ALL APPLICANTS AND ENROLLED STUDENTS:

Applicants and enrollees in certain educational programs could face consequences of **any criminal conviction** on eligibility for an occupational license. (Enacted by the legislature of the State of Texas: Section 1. Chapter 53, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. NOTICE OF POTENTIAL INELIGIBILITY FOR LICENSE Sec. 53.151. DEFINITIONS. Section 53.001, in this subchapter, "licensing authority" and "occupational license have the meanings assigned to those terms by assigned to those terms by Section 58.001.Sec. 53.152. NOTICE BY ENTITIES PROVIDING EDUCATIONAL PROGRAMS.

(a) An entity (St. Philip's College) that provides an educational program to prepare an individual for issuance of an initial occupational license shall notify each applicant to and enrollee in the educational program of:

> (1) the potential ineligibility of an individual who has been convicted of an offense for issuance of an occupational license on completion of the educational program;
>
> (2) the current guidelines issued under Section 53.025 by any licensing authority that may issue an occupational license to an individual who completes the educational program;
>
> (3) any other state or local restriction or guideline used by a licensing authority described by Subdivision (2) to determine the eligibility of an individual who has been convicted of an offense for an occupational license issued by the licensing authority; and
>
> (4) the right to request a criminal history evaluation letter under Section 53.102. (b) The entity shall provide the notice required under Subsection (a) to each applicant and enrollee regardless of whether the applicant or enrollee has been convicted of an offense.

What is an "Occupational License?"

An "occupational license" is a license, certificate, registration, permit, or other form of authorization required by law or rule that must be obtained by an individual to engage in a particular business or occupation.

What is a "Licensing Authority?"

A "licensing authority" is a state agency or political subdivision that issues an occupational license.

Your student rights:

All applicants and enrolled students have the right to request a criminal history evaluation, per Texas Occupations Code, Sec. 53.102.

An individual may request a licensing authority to issue a criminal history evaluation letter regarding the person's eligibility for a license issued by that authority if the person:

(1) is enrolled or planning to enroll in an educational program that prepares a person for an initial license or is planning to take an examination for an initial license; and

(2) has reason to believe that the person is ineligible for the license due to a conviction or deferred adjudication for a felony or misdemeanor offense.

The request from the licensing authority will state the basis for the person's potential ineligibility.

For Early Childhood and Family Studies, the program is not licensed or certified, but there are guidelines regulated by Texas Health and Human Services for Child Care Licensing. https://hhs.texas.gov/doing-business-hhs/provider-portals/protective-services-providers/child-care-licensing

Sec. 53.153. REFUND AND ORDERED PAYMENTS.

A licensing authority that determines that an entity regulated by the licensing authority has failed to provide the notice required by Section 53.152 to an individual entitled to receive the notice and that the individual's application for an occupational license for which the entity's educational program prepares the individual was denied because the individual has been convicted of an offense shall order the entity to:

(1) refund the amount of any tuition paid by the

(2) pay to the individual an amount equal to the total of the following, as applicable:

(A) the amount of any application fees paid by the individual to the licensing authority; and
(B) the amount of any examination fees paid by the individual to the licensing authority or an examination provider approved by the licensing authority.

SECTION 2. Section 53.152, Occupations Code, as added by this Act, applies only with respect to:

(1) an individual who is enrolled in an educational program subject to that section on or after the effective date of this Act; and

(2) an applicant for enrollment in an educational program subject to that section who applies for enrollment in the program on or after that date.

SECTION 3. This Act takes effect September 1, 2017.