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RQ-289



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December 9, 1991

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Advisory Committee

The Honorable Dan Morales
Attorney General
State of Texas
Price Daniel, Jr. Building
P.O. Box 12548
Austin, Texas 78711-2548

Re: Request for Attorney General Letter Opinion Regarding Art.
135b-6, Section 7 Tex. Rev. Civ. Stat. Ann.

Dear General Morales:

The 72nd Legislature enacted HB 853, creating a new certified noncommercial applicator license to be administered by the Structural Pest Control Board. Section 7 creates new licensure fees for the various categories of licensure. ✓

A question has been raised by the fact that an employee of the state or a city or county who does pest control work is required to be licensed as a certified noncommercial applicator under Section 4B of the Act. Does the Board have the authority to charge a license fee for an initial certified noncommercial applicator license based on the language in the Act giving general authority to charge governmental entity employees for their licenses and to charge late license renewal fees to certified noncommercial certified applicators?

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Mathis, Jr.", written over a horizontal line.

Benny M. Mathis, Jr.
Executive Director

BMM:do