

Chapter: Conditions of Employment
Title: Licensing Fees

Effective Date: 12/1/11
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New

ACA Standard(s): N/A

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) may pay a licensing fee or an occupation tax for an agency officer or an employee or groups of employees under certain limited circumstances.

(b) **Rules.**

- (1) TJJD may pay the licensing fee or occupation tax for an officer or employee when it is determined that:
 - (A) the payment would be directly and substantially related to the agency's governmental functions; and
 - (B) the agency would receive an adequate return for the payment.
- (2) TJJD may pay a licensing fee or an occupation tax for one employee or group of employees and not others if the agency has a rational basis for distinguishing among the employees.
- (3) TJJD is not required to pay a licensing fee or an occupation tax for any employee.

(c) **Decision Authority.**

- (1) Only the executive director may authorize agency payment of a licensing fee or an occupation tax.
 - (2) The executive director may consider the following factors, among others, when determining whether the agency would be receiving an adequate return:
 - (A) whether the employee in question works full-time or part-time;
 - (B) whether the employee uses the employee's professional credentials in working outside the confines of the employee's state employment;
 - (C) whether the professional credentials are required or merely useful in performing the employee's state duties.
 - (3) None of the preceding factors listed in (c)(2) above, when considered alone, is determinative.
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