

LANCE KENNEDY LAW

The Professional License Holder's Guide

When a Texas criminal charge threatens the license you work under

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Contents

1. Read This First
2. Why Licensed Professionals Face a Second Case
3. The General Framework: Reporting Duties, Moral Character, and the Deferred Adjudication Trap
4. Nurses: The Texas Board of Nursing
5. Physicians: The Texas Medical Board
6. Pharmacists: The Texas State Board of Pharmacy
7. Real Estate: The Texas Real Estate Commission
8. Securities Professionals: FINRA, Form U4, and the State Securities Board
9. Teachers: SBEC and the Texas Education Agency
10. Lawyers: The State Bar of Texas
11. Peace Officers: TCOLE
12. Engineers, Accountants, and Insurance Professionals
13. CDL Holders: The FMCSA Rules Are Stricter Than You Think
14. Coordinating the Criminal Defense With the License Defense

Read This First

If you hold a professional license in Texas and you have just been arrested or charged with a crime, you are not facing one case. You are facing two. The first is the criminal case everyone can see: the courtroom, the prosecutor, the bond conditions. The second is quieter, slower to surface, and for many professionals it is the more dangerous one: the case your licensing board can build from the same arrest.

Here is the part almost nobody tells you at the jail: the two cases run by different rules. Winning the criminal case does not automatically protect your license. A dismissal can still leave board questions to answer. And the resolution that looks like the best deal in criminal court, deferred adjudication, can quietly count as a conviction to the very board that controls your career. Texas law says so explicitly for nurses, doctors, teachers, peace officers, and people who work in regulated financial industries.

The three questions that decide your second case. For every board in this book, the same three questions control what happens next: What triggers a report to the board? What is the deadline? And does deferred adjudication count as a conviction? The answers are different for every profession, and guessing wrong at any of the three can cost you a license that took years to earn. This book walks through them board by board.

One more thing before you read on. Many Texas boards no longer wait for you to tell them anything. Because most licensed professionals are fingerprinted, boards receive automatic notifications of arrests through fingerprint-based monitoring programs. For several boards, the arresting agency itself is required to send a report. The question is rarely whether your board will find out. The question is whether the board hears about it in the way the rules require, on time, from you, with the story told correctly, or in the worst possible way: late, incomplete, and looking like concealment.

The reassurance, because you need to hear it: an arrest is not a conviction, and an open board inquiry is not a revocation. Criminal charges against licensed professionals can be defended, and license consequences can often be managed, sometimes avoided entirely, when the criminal defense and the license strategy are run together from the beginning. What ruins careers is not usually the charge. It is the missed deadline, the wrong plea, and the disclosure handled badly.

Read the general framework chapters first, then turn to the chapter for your profession. If a reporting clock may already be running on you, do not finish the book before calling a lawyer. Ours is (737) 324-7540, and the case review is free.

Why Licensed Professionals Face a Second Case

Your license is not a diploma. It is ongoing permission from the State of Texas, granted through a board, and that permission comes with conditions that never stop applying. When you were licensed, you agreed, whether you remember it or not, to answer to your board for conduct that happens entirely outside of work, on your own time, in your own car, in your own home.

Different forum, different rules, lower burden

The criminal case is decided in a courtroom, where the State must prove guilt beyond a reasonable doubt and you have the full set of constitutional protections. The license case is an administrative matter. If it goes to a contested hearing, it is typically heard at the State Office of Administrative Hearings or before the board itself, and the standard of proof is far lower: generally a preponderance of the evidence, meaning more likely than not. The board does not need a conviction to act. Depending on the profession, it can act on the underlying conduct, on a pattern it perceives, or on the honesty of your answers about what happened.

That last point deserves its own sentence: boards discipline people for the cover-up more often than for the crime. A charge that would have drawn a warning or a short probated sanction becomes a revocation case when the board concludes you hid it. On almost every board's forms, the disclosure questions are broader than a background check, and answering them wrong is a separate violation.

How the board finds out

- **Fingerprint monitoring.** Most Texas professional licenses now require fingerprinting, and boards subscribe to state and federal programs that automatically send arrest notifications for their licensees. The Texas State Board of Pharmacy, for example, has received automatic nationwide arrest alerts through the FBI's rap back service since 2018, and certified educators are covered by a fingerprint-based clearinghouse that keeps the Texas Education Agency informed. Assume your board learns of an arrest within days, not months.
- **Mandatory third-party reports.** For peace officers, the arresting agency must report the arrest to the licensing commission. For educators, superintendents carry their own reporting duties. Hospitals, employers, and insurers have reporting obligations of their own in some professions.
- **Your own required report.** Many boards require you to report within a set number of days. Some clocks start at conviction. Some start when charges are filed. One or two

effectively start at arrest. The per-board chapters give you each answer.

- **Renewal questions.** Every license comes up for renewal, and renewal applications ask about criminal history since the last renewal. Even where no standing report is required, the renewal question eventually is.

Why the criminal outcome does not settle the license case

A board is not bound by what the criminal court did, except where a statute says so. A dismissal after deferred adjudication still leaves a plea of guilty or no contest in the record, and many boards are legally allowed to treat that plea as a conviction. An acquittal prevents conviction-based discipline, but some boards can still ask about the conduct itself. On the other side of the ledger, a criminal conviction for certain offenses forces some boards to act whether they want to or not: mandatory suspension for physicians on an initial felony conviction, mandatory revocation for educators and nurses on certain offense lists, automatic consequences for CDL holders that no judge can waive.

None of this is meant to frighten you. It is meant to convince you of one operational truth: from the first week, every decision in the criminal case, what you say, what you sign, what you plead to, and when, has to be made with the license case in view. A plea that is perfectly sensible for an unlicensed defendant can be a career-ending mistake for you. The rest of this book exists to keep you from making it.

The General Framework: Reporting Duties, Moral Character, and the Deferred Adjudication Trap

Before the board-by-board chapters, you need the legal architecture they all sit on. Three ideas do most of the work: the state law that governs when a criminal record can cost a license, the character and honesty standards boards layer on top, and the special rules that decide whether deferred adjudication counts against you.

Chapter 53: the baseline statute

Texas Occupations Code Chapter 53 is the default rulebook for criminal history and occupational licenses. Under Section 53.021, a licensing authority may suspend, revoke, or deny a license because of a conviction for an offense that directly relates to the duties and responsibilities of the licensed occupation, or for certain especially serious offenses the statute lists. Since a 2019 reform, boards generally cannot punish a license holder for a conviction that has nothing to do with the occupation, and under Section 53.0232 a licensing authority may not consider an arrest that did not result in a conviction in judging your fitness for the occupation. The Legislature kept moving in 2025: Senate Bill 1080 narrowed the separate rule that requires revocation when a license holder is imprisoned after a felony conviction, tying it to offenses that relate to the occupation or that appear on specific statutory lists, and it created a provisional license path for some applicants coming out of custody.

When a conviction does relate to the occupation, Sections 53.022 and 53.023 require the board to weigh context: the nature and seriousness of the crime, how it relates to the work, how much time has passed, your age at the time, rehabilitation, work history, and letters and evidence you supply. These factors are not decoration. They are the raw material of a license defense, and building that record early is a large part of what a license defense lawyer does.

Two more Chapter 53 tools worth knowing. First, if you are planning a career move while a case is pending or after one resolves, Section 53.102 lets you request a criminal history evaluation letter from a board before you invest in an application. Second, Chapter 53 yields to stricter profession-specific statutes wherever they conflict, which is exactly why the per-board chapters in this book exist.

The deferred adjudication trap

Deferred adjudication is the resolution where you plead guilty or no contest, the judge defers a finding of guilt, you complete supervision, and the case is dismissed without a conviction. For

most purposes, that is a genuinely good outcome. For licensing, it is a trap with three layers.

Layer one: the five-year shadow. Even under the general rule, a board may treat your deferred adjudication as a conviction while you are still on supervision, and for five years after you complete it, if the board also determines that licensing you may pose a continued risk. The dismissal at the end of deferred does not start you clean with a licensing board the way most people assume.

Layer two: the carve-out professions. Section 53.021 removes the deferred adjudication protection entirely for licenses that authorize law enforcement work, public health, education, or safety services, or financial services in regulated industries. Read that list again. It covers nurses, physicians, pharmacists, teachers, peace officers, and much of the securities, insurance, and accounting world. For those professions, the board may treat the deferred as a conviction, full stop, and several of their governing statutes say a plea of guilty or no contest triggers mandatory consequences regardless of the deferral.

Layer three: the plea itself. Deferred adjudication begins with a plea, and many reporting rules and application questions ask about pleas, not convictions. FINRA's Form U4 asks whether you have ever pled guilty or no contest. The Texas Real Estate Commission's reporting duty runs from the plea. The State Bar suspends lawyers during deferred adjudication probation for serious crimes. The plea is the event, and the later dismissal does not unring it.

Never accept deferred adjudication, in any case, without a written answer to one question: what does this plea do to my license? For some professions and some charges, deferred is still the right call. For others it is the single worst available outcome, worse for your career than fighting and losing. There is no general answer. There is only the answer for your board and your charge, and you are entitled to have it in hand before you stand up in court and say guilty.

Moral character, moral turpitude, and honesty

Nearly every board can act on crimes involving *moral turpitude*, an old phrase the statutes rarely define. In practice it means crimes of lying, cheating, stealing, and serious violence: theft, fraud, perjury, assault causing injury, and similar offenses. A first DWI, standing alone, is generally not treated as a crime of moral turpitude in Texas, which is one reason a well-managed DWI is survivable in most professions. Crimes of dishonesty are different. For a licensed professional, a small theft or a false statement case is frequently more dangerous than a more serious-sounding charge, because it strikes at the exact quality every board exists to certify.

Finally, the honesty overlay: every application, renewal, and board inquiry is itself a test. Records sealed by a nondisclosure order remain visible to many Texas licensing agencies, which receive

criminal history the general public cannot see, so answering a board question based on what you hope they cannot find is a losing strategy. Expunged records stand on different footing, and several boards state that expunged and sealed matters need not be disclosed, but the safe practice is to make disclosure decisions with a lawyer who has read your board's exact question and your exact court records.

The quick-reference map

Profession	Main trigger	Deadline	Deferred adjudication
Nurses (BON)	Disclosure on application and renewal; fingerprint monitoring	At renewal; no standing deadline confirmed	Counts; mandatory consequences for listed offenses
Physicians (TMB)	Conviction-level events and deferred pleas	30 days	Reportable; can support discipline
Pharmacists (TSBP)	Rap back arrest alerts; renewal disclosure	At renewal; board often knows first	Counts under board policy
Real estate (TREC)	Felony or fraud offense: conviction or plea	30 days	Plea triggers the duty
Securities (FINRA)	Felony charges; certain misdemeanor charges	30 days; 10 days if disqualifying	Plea is reportable
Teachers (SBEC)	Fingerprint clearinghouse; superintendent reports	Others report you in days	Counts; mandatory revocation for listed offenses
Lawyers (State Bar)	Felony or listed misdemeanor: conviction or probation	30 days	Suspension during deferred for serious crimes
Peace officers (TCOLE)	Arrest, charge, or indictment above Class C	30 days; agency also reports	Counts; felony deferred is career-ending
Engineers (TBPELS)	Misdemeanor or felony conviction	30 days	Board may consider; see chapter
CPAs (TSBPA)	The filing of charges in listed categories	30 days from knowledge	Expressly reportable
Insurance (TDI)	Felony conviction; renewal disclosure; entity reports	Monthly notice duty for individuals; 30 days for entities	Can be considered
CDL (DPS and FMCSA)	Convictions, broadly defined by federal rule	30 days to employer; next business day for disqualification	Generally counts as a conviction

This table is a map, not the terrain. Every line is simplified, several are hedged for reasons the chapters explain, and rules change. Use it to find your chapter, then read the chapter.

Nurses: The Texas Board of Nursing

Nursing may be the most unforgiving licensing environment in this book. The Board of Nursing polices hundreds of thousands of licenses, it takes criminal conduct personally because nurses work with vulnerable people, and the Nursing Practice Act contains one of the harshest mandatory-consequence statutes in Texas law.

The reporting trigger and deadline

The core disclosure duty arrives with your application and every renewal: the Board's questions require disclosure of criminal matters, and as the Board frames eligibility questions they reach arrests, charges, and dispositions of nearly every kind, with the customary exception of minor traffic offenses at the Class C level and matters that have been expunged or sealed. Read your renewal's exact question carefully, because the wording controls.

We could not confirm a published Board rule imposing a standing duty to self-report an arrest within a set number of days outside the renewal cycle, and you may read conflicting claims about this online. Do not let that ambiguity comfort you. Nurses are fingerprinted, the Board participates in fingerprint-based monitoring, and it routinely learns of arrests quickly. The practical rule our office gives nurses: assume the Board will know, and make the decision about when and how to address it with a lawyer, deliberately, rather than by silence and hope.

The standard applied

The Board's discipline authority under Section 301.452 of the Occupations Code covers, among other things, criminal conduct, intemperate use of alcohol or drugs, and conduct that deceives or endangers patients. Board rules direct a fact-specific review of criminal history against the duties of nursing, including honesty, trustworthiness, and patient safety. In practice, three categories drive most nursing cases: crimes of dishonesty, crimes involving drugs or alcohol, and crimes of violence. A single DWI is usually survivable with competent handling, often through remedial terms rather than loss of the license, though nothing is automatic and repeat alcohol offenses move quickly into fitness-to-practice territory.

The mandatory list

Section 301.4535 requires the Board to refuse, suspend, or revoke for certain offenses, including murder and manslaughter, kidnapping punished as a felony, sexual assault and aggravated sexual assault, indecency with a child and continuous sexual abuse, aggravated assault, and any offense

requiring sex offender registration, along with equivalent offenses from other jurisdictions. The statute is triggered by conviction or by a plea of guilty or no contest, and after one of these matters a person is generally ineligible for licensure until five years after completing supervision or parole. There is very little a board lawyer can do after one of these pleas is entered. Everything depends on the criminal defense preventing it.

Does deferred adjudication count?

Yes, treat it as counting. Nursing is a public health profession, which places nurses squarely in the statutory carve-out that removes the general deferred adjudication protection. For the listed offenses above, the plea itself triggers mandatory consequences. For everything else, the Board may consider a deferred, even one successfully completed years ago, in deciding what to do with your license. Deferred adjudication can still be the right outcome for a nurse in some cases, but only after the license analysis is done first.

Nursing students and new graduates: the Board offers a declaratory order process that lets you get a ruling on your criminal history before you finish school and apply. If you picked up a charge before or during nursing school, use it. Finding out at application time, after the tuition is spent, is the expensive way.

Physicians: The Texas Medical Board

The Texas Medical Board runs one of the clearer reporting systems in this book, largely because it rewrote its rules in 2022 to require prompt self-reporting after years of a slower cycle. The structure now looks like this.

The reporting trigger and deadline

Under current Board requirements, a physician must report certain events to the Board within 30 days. The reportable criminal events include a conviction for any felony, any Class A or Class B misdemeanor, or a Class C misdemeanor involving moral turpitude, and, critically, charges resolved by a no contest plea for purposes of deferred adjudication or pretrial diversion, and matters where a court found sufficient facts of guilt and continued the case. In other words, the Board wrote its rule specifically to capture the dispositions people use to avoid a conviction. The Board reorganized its rule chapters in 2024, so the rule numbering you find online may be stale; verify the current citation, but the 30-day substance is the operating reality.

An arrest alone, with no charge resolved, is generally not reportable between renewals under the current framework. It will still surface on your next registration renewal, which asks about criminal matters, and fingerprint-based monitoring means the Board may hear of the arrest anyway. So the practical posture is the same as for nurses: plan the disclosure, do not gamble on obscurity.

The standard applied

The Medical Practice Act lets the Board discipline a physician for, among many grounds, conviction of a felony or of a misdemeanor involving moral turpitude, and for unprofessional or dishonorable conduct. The Board applies the familiar factors: relationship of the crime to the practice of medicine, honesty, patient safety, substance use, and rehabilitation. A single alcohol-related misdemeanor is usually a manageable event for a physician with an otherwise clean record, sometimes involving referral for evaluation, and often resolved without loss of the license. Fraud, controlled substance offenses, and anything touching patients are a different tier entirely.

The mandatory statute

Section 164.057 of the Occupations Code requires the Board to suspend a physician's license upon proof of an initial felony conviction, with revocation on final conviction, and it extends to certain drug offenses. Note the sequence: suspension does not wait for the appeal to finish. This is one of

several reasons that, for a physician, keeping a charge below the felony line, or resolving it in a form that is not a conviction, is worth an enormous amount of defensive effort.

Does deferred adjudication count?

Treat it as reportable and usable. The 30-day reporting rule expressly reaches deferred adjudication pleas, and physicians practice a public health profession within the statutory carve-out, so the general deferred protection does not apply. Deferred adjudication for a physician avoids the mandatory felony-conviction suspension, which can make it far better than a conviction, but it is not invisible and it is not consequence-free. It is a known event the Board will see and may act on. Weigh it with both lawyers, criminal and license, in the room.

Do not talk to a Board investigator, or answer a Board letter, without counsel. Physicians are trained to cooperate and explain. In a Board inquiry, your explanation is evidence, your timeline is checked against records, and casual inaccuracy becomes a dishonesty allegation. Every statement to the Board should be made once, in writing, correctly.

Pharmacists: The Texas State Board of Pharmacy

Pharmacists sit closer to the criminal law than almost any other profession, because the substance of the job, controlled substances, is itself a regulated and prosecuted subject. Two consequences follow: the Board of Pharmacy watches criminal history unusually closely, and drug-adjacent charges that would be routine for other defendants are existential for a pharmacist.

The reporting trigger and deadline

Here is the fact that changes how you should think about this board: since 2018, the Texas State Board of Pharmacy has received automatic, immediate, nationwide arrest notifications for its licensees and registrants through the FBI's rap back service. The Board has said so publicly. For most pharmacists, the Board will know about an arrest before you have hired a lawyer.

Your own affirmative duties center on application and renewal, which require disclosure of criminal history, and the Board publishes guidance and sanction charts describing how it treats criminal offenses. We could not confirm a standing rule requiring a pharmacist to self-report an arrest or charge within a set number of days between renewals, so do not rely on any specific number you read elsewhere; rely instead on the reality that the Board already knows, and get advice about whether a proactive disclosure, properly framed, serves you. It often does.

The standard applied

Chapter 565 of the Occupations Code gives the Board discipline authority over licensees for grounds that include criminal convictions and matters involving controlled substances, and Board rules set out how criminal offenses are evaluated against the duties of pharmacy practice: honesty, accurate handling of dangerous drugs, and public safety. The Board's published approach applies its criminal-offense analysis to convictions and to deferred adjudication community supervision alike. Alcohol offenses are treated seriously because impairment is treated seriously; controlled substance offenses, diversion allegations, and dishonesty offenses are the cases where licenses are genuinely at risk. A pharmacist facing any drug-related charge, including possession of a controlled substance without a valid prescription, should assume the license case is at least as serious as the criminal one.

Does deferred adjudication count?

Treat it as counting. Pharmacy is a public health profession within the statutory carve-out, and the Board's own disciplinary guidelines state that they apply to deferred adjudication dispositions

as well as convictions. As always, that does not make deferred worthless for a pharmacist; avoiding a felony conviction matters, and supervision terms can be survivable. It means the choice must be made with the Board's reaction priced in, not discovered afterward.

Watch the collateral systems. A pharmacist's career runs on more than the state license: DEA registration, employer credentialing, and pharmacy benefit networks all ask their own criminal history questions with their own definitions. A resolution that satisfies the state Board can still trip a federal or contractual wire. Have someone map all of the consequences before you resolve the criminal case, not after.

Real Estate: The Texas Real Estate Commission

Real estate license holders get one of the clearest and least forgiving reporting rules in Texas, and TREC has publicly warned license holders about it: report within 30 days or face penalties on top of whatever the underlying crime brings.

The reporting trigger and deadline

A sales agent or broker must notify the Commission no later than the 30th day after a final conviction, or the entry of a plea of guilty or no contest, for a felony or for any criminal offense involving fraud, including misdemeanors. Read the trigger carefully, because both halves matter. It runs from the plea, not just from a conviction, which means accepting deferred adjudication on a covered offense starts the 30-day clock the day you plead. And it covers misdemeanor fraud, not just felonies.

The penalty for waiting is concrete: TREC has stated that a license holder who sits on a reportable event until renewal faces an administrative penalty of at least \$500 and up to \$3,000 per failure to report, in addition to whatever discipline the underlying offense supports. Criminal history is also rechecked at every renewal, so the event will surface regardless.

The standard applied

Under Section 1101.652 of the Occupations Code, the Commission may suspend or revoke a license for entering a plea of guilty or no contest to, or being convicted of, a felony or a criminal offense involving fraud. Beyond that, TREC evaluates criminal history for its relationship to the occupation, and the Commission has identified offenses involving moral turpitude, fraud, dishonesty, and breach of trust as directly related to the duties of a real estate professional, for obvious reasons: license holders hold money, sign documents, and stand in positions of trust with the public.

A DWI, for a real estate license holder, is one of the more manageable events in this book. It is generally neither a felony nor a fraud offense on a first arrest, so it commonly does not trigger the 30-day report, and standing alone it rarely threatens the license, though renewal disclosure questions still must be answered accurately and a felony DWI changes the analysis completely. Theft, forgery, and misapplication cases are the opposite: modest criminal exposure, severe license exposure.

Does deferred adjudication count?

For the reporting duty, yes: the plea triggers it. For the ultimate discipline question, real estate is not in the statutory carve-out professions, so the general Chapter 53 rules apply, including the five-year window after supervision during which a deferred can still be treated as a conviction. A successfully completed deferred, aged more than five years, sits in a meaningfully better legal position for a TREC license than for a nursing or teaching certificate. That distinction can make deferred adjudication a genuinely attractive resolution for a real estate professional in the right case, provided the 30-day report is made and made well.

Applicants and career changers: TREC offers a Fitness Determination process that lets you submit your criminal history for evaluation before applying for a license. If you have a record and real estate is the plan, spend the modest fee and get the answer first.

Securities Professionals: FINRA, Form U4, and the State Securities Board

If you are a registered representative, an investment adviser representative, or anyone else whose career lives on a Form U4, your rules are federal, they are fast, and they are enforced by an organization with a long memory and a public database. This chapter is different from the others because the most dangerous deadline is triggered by a charge, not a conviction.

The reporting trigger

Form U4 asks two families of criminal questions. The felony questions ask whether you have ever been convicted of, pled guilty or no contest to, *or been charged with* any felony. The misdemeanor questions cover a specific list: offenses involving investments or an investment-related business, fraud, false statements or omissions, wrongful taking of property, bribery, perjury, forgery, counterfeiting, or extortion, and they likewise reach charges, not just convictions. An arrest that produces no charge is not by itself reportable; a formal felony charge is, immediately upon your learning of it, even if you are innocent and the case later collapses.

Notice what is on the misdemeanor list and what is not. A misdemeanor DWI is generally not a U4-reportable offense. A misdemeanor theft charge is. In this industry, a shoplifting allegation is a career event and must be treated like one.

The deadline

Your U4 must be kept current. Amendments are due within 30 days of learning the facts that make them necessary, and within 10 days when the event is one that triggers statutory disqualification. Your firm files the amendment, which means your compliance department learns everything, which means the employment conversation and the regulatory filing happen together. Plan both with counsel before you say anything internally, but do not blow the deadline while planning.

The standard applied

Two separate hazards. First, discipline: FINRA treats a false or late U4 as a violation in itself, and it charges nondisclosure cases aggressively. A willful failure to disclose a reportable matter is independently disqualifying, which is the industry's quiet trapdoor: people survive the crime and lose their careers over the box they did not check. Second, statutory disqualification: under federal law, certain events, including a felony conviction within the past ten years and various

fraud-related misdemeanor convictions, disqualify you from the industry unless your firm sponsors you through an eligibility proceeding, which many firms simply will not do. Texas adds its own layer: the State Securities Board registers dealers and agents, receives the same disclosures through the CRD system, and can pursue its own action on state grounds.

Does deferred adjudication count?

The plea does. Deferred adjudication begins with a plea of guilty or no contest, and the U4 asks whether you have ever entered one. The later dismissal does not erase a truthful yes, though how a particular deferred maps onto particular U4 questions, and what explanatory disclosure accompanies it, is exactly the kind of question to resolve with a securities-side lawyer rather than by instinct. Because everything disclosed flows to BrokerCheck, where clients and recruiters can read it forever, the wording of the disclosure matters almost as much as the fact of it.

The charge is the emergency. In every other chapter, the crisis point is a plea or a conviction. Here it is the filing of a felony charge, weeks or months earlier. If you work in securities, your license lawyer needs to be involved before indictment whenever possible, because charge-stage decisions, including what offense is charged, are U4 decisions.

Teachers: SBEC and the Texas Education Agency

Educators live under the most automated surveillance in this book. Every certified educator in Texas has been fingerprinted, the state maintains a fingerprint-based clearinghouse that keeps the Texas Education Agency informed of arrests, and school district leadership carries its own legal duty to report educator misconduct to the State Board for Educator Certification. Whether to tell anyone is rarely a real question for a teacher. The system already knows.

The reporting trigger and deadline

Three channels run at once. First, the fingerprint clearinghouse can flag an arrest to TEA and, through it, your district, quickly and automatically. Second, superintendents and directors are legally required to report certain educator misconduct within days of learning of it, on pain of administrative penalties that run into five figures, and a 2025 overhaul moved those duties into a new misconduct chapter of the Education Code and extended reporting to noncertified school employees, so do not expect your district to sit on anything. Third, your own certificate: certification applications and renewals require disclosure of criminal history, and SBEC treats false or misleading answers as independent grounds for discipline. We did not find a published rule imposing a standing educator self-report deadline for an arrest itself, but the practical effect of the first two channels is that SBEC hears about educator arrests without your help.

The standard applied

SBEC's disciplinary rules, in Chapter 249 of Title 19 of the Administrative Code, let the board sanction educators for, among other things, conviction of crimes relating to the profession, and its rules and enforcement history treat crimes involving moral turpitude, crimes against children, drug offenses, and dishonesty as directly related to an educator's duties. The board weighs the usual factors: seriousness, relationship to teaching, time elapsed, and rehabilitation. Separate from the certificate, your district employment runs on contract law, and a criminal charge can trigger administrative leave and contract consequences on a different and faster track than SBEC discipline. A teacher facing charges is often fighting on three boards at once: the courtroom, the certificate, and the contract.

The mandatory statute

Education Code Section 21.058 requires revocation, on a short timeline and without discretion, when an educator is convicted of or placed on deferred adjudication for an offense requiring sex offender registration, or a felony under Title 5 of the Penal Code, the crimes against persons title,

where the victim was under 18. Notice the words deferred adjudication in that sentence. For the listed offenses, the resolution that avoids a conviction still ends the certificate.

Does deferred adjudication count?

Yes. Education is one of the statutory carve-out professions, so the general deferred protection does not apply to educator certification, and for the Section 21.058 offense list, deferred adjudication is expressly equivalent to conviction. For offenses outside the mandatory list, deferred remains a case-by-case matter before SBEC, and for something like a first DWI, a well-handled deferred or reduction is frequently survivable for a teaching career, with honesty on renewal forms doing much of the work. The catastrophic mistakes are pleading to a listed offense, and lying on a form.

Do not resign under pressure without advice. Resigning mid-contract after an arrest can itself generate an SBEC sanction for contract abandonment, and a resignation under investigation triggers reporting anyway. The instinct to quietly leave and make it go away usually makes both cases worse.

Lawyers: The State Bar of Texas

Lawyers wrote these rules, so it should not surprise you that the profession's own system is precise about which crimes end careers automatically and which are handled case by case. If you are a lawyer with a criminal charge, the controlling questions are whether your offense is a Serious Crime or an Intentional Crime under the disciplinary rules, and whether your resolution involves probation of any kind.

The reporting trigger and deadline

A Texas lawyer who is convicted of, or placed on probation for, with or without an adjudication of guilt, barratry, any felony, or a misdemeanor involving theft, embezzlement, or fraudulent or reckless misappropriation of money or property, must notify the Chief Disciplinary Counsel within 30 days of the judgment or order, including a copy of it. The same 30-day duty covers discipline imposed by another jurisdiction. Read the trigger closely: probation with or without an adjudication of guilt means deferred adjudication starts the clock just as a conviction does.

The standard applied: two tracks

Compulsory discipline. For an Intentional Crime, essentially a Serious Crime with intent or knowledge at its core, the disciplinary system stops weighing and starts executing. A final conviction brings disbarment. A fully probated sentence, or deferred adjudication probation, for a Serious Crime brings suspension for the entire term of the probation, and if the probation is revoked, disbarment follows. Serious Crimes include barratry, any felony involving moral turpitude, and the theft and misappropriation misdemeanors listed above. In this track, the only real defense happened earlier, in the criminal case, in what you pled to.

The grievance track. Crimes outside the compulsory system are handled as ordinary disciplinary matters under Rule 8.04, which makes it professional misconduct to commit a serious crime or any other criminal act reflecting adversely on honesty, trustworthiness, or fitness. Here the familiar factors apply and outcomes range from dismissal to sanctions short of losing the license.

Where DWI fits

A first or second DWI is a misdemeanor, and it is not barratry, not a felony, and not a theft offense, so it generally sits outside both the 30-day self-report duty and compulsory discipline. A felony DWI, third offense or with a child passenger, is inside both. This is one of the sharpest cliff

edges in the book: for a lawyer, the difference between a second DWI and a third is the difference between a private problem and a mandatory career event. No outcome is guaranteed in either direction, but the stakes analysis is that stark.

Does deferred adjudication count?

For Serious Crimes, deferred adjudication does not avoid discipline; it defines it, as an active suspension running the length of the probation. For offenses outside the compulsory list, deferred is evaluated like any other conduct under the grievance rules. And for every lawyer, the aggravating constant is candor: a lawyer who fails to self-report, or shades an answer to the Bar, has converted a survivable event into a dishonesty case in front of the one audience most sensitive to it.

Peace Officers: TCOLE

Law enforcement licensing is the strictest regime in this chapter lineup, which is exactly what you would expect: the license is permission to carry state power. The Texas Commission on Law Enforcement leaves less room for discretion, counts deferred adjudication against you almost everywhere, and requires reporting at the arrest stage, earlier than any other Texas board in this book.

The reporting trigger and deadline

Under Commission rule, a license holder must report to TCOLE, within 30 days, any arrest, charge, or indictment for a criminal offense above a Class C misdemeanor, and any Class C offense involving the duties and responsibilities of office or family violence, including the arresting agency and case details, and must later report the final disposition. The agency that arrested you has its own duty to report the arrest to TCOLE. Between the two, the Commission will know quickly, and a licensee's failure to file the individual report is itself a rule violation stacked on top of the underlying charge.

The standard applied

The consequences ladder under Chapter 1701 of the Occupations Code and Commission rules is steep. A felony conviction permanently disqualifies a person from licensure as a peace officer, and the Commission revokes licenses on felony conviction. Convictions above Class C, and certain Class C matters, support long suspensions under the Commission's enforcement rules, with published minimums for Class A and Class B misdemeanor convictions. Family violence findings carry their own bar: a conviction for even a misdemeanor crime of family violence disqualifies a person from licensed service, and federal firearms law independently strips the gun rights an officer needs to work. Dishonesty offenses, false reports, and tampering are treated as core-integrity failures with predictable results.

Does deferred adjudication count?

Emphatically, and by design. Law enforcement is the first profession named in the statutory carve-out, so the general deferred protection never applies. Commission rules treat community supervision, including deferred adjudication, as a disqualifying disposition in most contexts: under the current enforcement rules, a license holder charged with a felony who is placed on community supervision faces suspension for thirty years, which for any working officer is the end of the career, and deferred adjudication for lesser offenses supports lengthy suspensions as well.

For an officer, deferred adjudication on a felony is not a soft landing. It is the crash. The entire defensive effort belongs at the charge stage: grand jury advocacy, charge reduction, pretrial diversion where available, or trial.

Officers also face the interview problem. After an arrest you may be ordered into an internal affairs interview under threat of termination. Statements compelled that way carry special legal protections in the criminal case, but the interaction between the IA case, the TCOLE case, and the criminal case is technical and unforgiving. Get a lawyer who handles all three before you say anything to anyone.

Engineers, Accountants, and Insurance Professionals

These three professions rarely appear in the same sentence, but they share a licensing profile: the crimes that threaten the license are crimes of dishonesty, the reporting rules are specific, and one of the three, accountancy, has a reporting trigger strict enough to surprise even lawyers.

Engineers and surveyors: TBPELS

The Texas Board of Professional Engineers and Land Surveyors requires each license holder to notify the Board in writing within 30 days of a misdemeanor or felony conviction, simple traffic violations excepted, and within 30 days of discipline by another jurisdiction's licensing board. The Board adopted criminal history rules in 2023 that map how convictions are evaluated against the profession's duties: honesty in certifications, public safety in design, and fitness to seal documents the public relies on. Engineering is not among the statutory carve-out professions, so the general Chapter 53 deferred adjudication framework applies, including the five-year window; how the Board treats a particular deferred is case-specific, and worth a criminal history evaluation request if you are planning ahead. For most engineers, a DWI is a reportable but survivable event; fraud and falsification cases are the serious ones.

Certified public accountants: TSBPA

Now the strict one. Under Board Rule 501.91, a CPA must report to the Board in writing within 30 days of learning of, among other events, *the filing of criminal charges*, or a conviction or deferred adjudication, in these categories: any felony, any crime of moral turpitude, crimes with fraud or dishonesty as an element, crimes involving alcohol abuse or controlled substances, crimes involving physical injury or threats, and crimes related to the duties of a CPA or fiduciary. Read that middle category again. As the rule is written, the filing of a DWI charge, an alcohol-related crime, starts a 30-day reporting clock for a Texas CPA, before any conviction, before any plea, while the case is entirely undecided. Many CPAs have no idea. The Board treats a report as the opening of an ordinary complaint file, and a charge that resolves well often closes quietly, but the failure to report is its own violation with its own consequences. Deferred adjudication is expressly reportable, and as a regulated financial profession, accountancy has weak claim to the general deferred protection; assume a deferred can be considered.

Insurance agents and adjusters: TDI

The Texas Department of Insurance licenses agents and adjusters under the Insurance Code, and Section 4005.101 gives grounds for discipline that include fraud, misappropriation, and criminal

conduct bearing on trustworthiness. Individual agents also carry a standing statutory duty most of them have never heard of: Section 4001.252 of the Insurance Code requires an individual licensed as an agent to notify TDI of a felony conviction of the license holder, on the statute's monthly notification cycle, and it requires a licensed corporation or partnership to notify TDI within 30 days of a felony conviction of an associated licensee. Individuals operating under a granted federal consent must report certain events within 30 days as well. Adjusters and other license types should verify their own current requirements with counsel; disclosure questions recur at application and renewal, fingerprinting backstops them, and silence is not a strategy. The heavyweight rule in this industry is federal: under 18 U.S.C. Section 1033, a person convicted of a felony involving dishonesty or breach of trust may not work in the business of insurance at all without written regulatory consent. That statute reaches employment itself, not just licensure, and it is the reason a plea to even a small dishonesty felony is a categorically different event for anyone in insurance.

The pattern across all three: dishonesty offenses are the license killers, alcohol offenses are usually manageable but reportable somewhere, and the reporting failure compounds everything. When in doubt, the question is never only can they punish this crime. It is what, exactly, must be reported, to whom, by when.

CDL Holders: The FMCSA Rules Are Stricter Than You Think

If you drive for a living, your commercial driver's license is governed by federal rules that are harsher, more automatic, and less forgiving than anything a Texas licensing board does. Three features surprise nearly every CDL holder who walks into our office: the rules count what you do in your personal vehicle, they define conviction so broadly that the usual escape hatches close, and the second strike is lifetime.

The major disqualifying offenses

Under 49 CFR 383.51, the federal disqualification rule Texas implements through Transportation Code Chapter 522, a CDL holder is disqualified for one year, three years if transporting placarded hazardous materials, for a first conviction of any of the major offenses. These include driving a commercial vehicle with an alcohol concentration of 0.04 or more, note the number, half the ordinary limit, driving any vehicle under the influence in violation of state law, refusing a breath or blood test, leaving the scene of an accident, using a vehicle to commit a felony, driving a commercial vehicle while the CDL is revoked, and causing a fatality through negligent operation of a commercial vehicle.

A second conviction of any major offense, in any combination, at any point in your driving life, brings lifetime disqualification. Federal rules permit a state to allow reinstatement after ten years following rehabilitation, but that is a possibility, not a promise, and no one should plan a career around it. Using a commercial vehicle in a felony involving manufacturing, distributing, or dispensing controlled substances is a lifetime disqualification with no reinstatement at all.

Offense	First offense	Second offense
DWI in any vehicle, including your personal car	1 year (3 years if hauling placarded hazmat)	Lifetime
Alcohol concentration of 0.04 or more in a CMV	1 year (3 years hazmat)	Lifetime
Test refusal, any vehicle	1 year (3 years hazmat)	Lifetime
Leaving the scene; using a vehicle in a felony; fatality by negligent CMV operation; driving on a revoked CDL	1 year (3 years hazmat)	Lifetime
Drug felony using a commercial vehicle	Lifetime, no reinstatement	Not applicable

Below the major offenses sit the serious traffic violations, such as excessive speeding, reckless driving, and texting while driving a CMV: two convictions within three years bring a 60-day disqualification, three bring 120 days. The tickets you would ordinarily pay and forget are, for you, a second license case.

Why the usual escape routes are closed

The federal definition of conviction is deliberately wide: an unvacated adjudication of guilt, a plea of guilty or no contest accepted by the court, payment of a fine, or a determination of violation by any court or authorized tribunal, regardless of whether the penalty is probated. Dispositions built to avoid a conviction under state law generally still count. On top of that, federal masking rules forbid states from hiding or diverting a CDL holder's traffic convictions off the record, which is why deferred disposition and ordinary ticket-dismissal programs are unavailable for CDL holders in Texas courts. And Texas closed the last door by statute: deferred adjudication for DWI is expressly unavailable to a defendant who held a commercial driver's license or learner's permit at the time of the offense. For a CDL holder, there is no diversion-shaped exit from a DWI. The realistic strategies are reduction to a non-disqualifying offense, suppression, or trial.

Your notification duties and the license gap

Chapter 522 gives you homework nobody reads at CDL school: you must notify your employer in writing within 30 days of any traffic conviction, in any vehicle, anywhere; you must notify the licensing state within 30 days of out-of-state convictions; and you must notify your employer before the end of the first business day after you learn you have been disqualified or subjected to an out-of-service order. One more Texas-specific trap from our DWI practice: an occupational driver's license, the court-ordered license that lets suspended drivers get to work, never authorizes driving a commercial vehicle. If your CDL is disqualified, there is no hardship version of it. That is why the ALR hearing after a DWI arrest, the civil license case with its own 15-day request deadline, is not optional paperwork for a commercial driver. It is the whole ballgame.

For a CDL holder, a first DWI in your personal pickup on a Saturday night is a one-year vocational disqualification if it becomes a conviction, and Texas law takes deferred adjudication off the table. Of every charge in this book, a commercial driver's DWI is the one least suited to a fast, casual resolution. Every option that avoids a disqualifying conviction deserves to be fully explored first.

Coordinating the Criminal Defense With the License Defense

Everything in this book converges on a single discipline: the criminal case and the license case must be run as one strategy, from the first week, by people who are talking to each other. Here is what that looks like in practice.

Sequence the two cases deliberately

The criminal case usually moves slower than the reporting deadlines and faster than the board case. That ordering creates leverage and hazards at the same time. A report to a board made before charges are even resolved can often be framed once, accurately and calmly, in a way that ages well no matter what the criminal case does. A missed deadline can never be unfixed. So the first joint task is a calendar: every reporting trigger that applies to you, every deadline, and who files what. The second is a communication rule: the board hears from you through counsel, in writing, once, correctly. Board investigators are professionals doing a legitimate job, and everything you tell them is evidence.

The plea is a licensing document

When a resolution comes, the exact words matter more than the sentence. Whether the offense is a felony or misdemeanor, whether fraud or theft is an element, whether it lands on your board's mandatory list, whether the disposition is a conviction, a deferred, or a pretrial diversion with no plea at all: each of those levers moves the license outcome independently of the jail-and-fine terms everyone else focuses on. Pretrial diversion that ends in dismissal without a plea is, for most boards, categorically better than deferred adjudication, because there is no plea for a rule to capture. A reduction from a listed offense to an unlisted one can matter more than probation length. This is why your criminal defense lawyer must know your board's rules before negotiating, and why plea paperwork should be reviewed against the license rules before it is signed, not after.

Answer every question truthfully, forever

If one theme has run through every chapter, it is this: boards forgive conduct far more readily than they forgive concealment. Answer application and renewal questions exactly as written, disclose what the question actually asks, and when a question is ambiguous, resolve it with advice rather than optimism. If the record has been expunged, you generally gain the legal right to deny the arrest, and several boards say sealed and expunged matters need not be disclosed; but until an

expunction is granted, assume licensing agencies can see records the public cannot, including many matters under nondisclosure orders.

After the storm: clean the record

When the criminal case ends well, finish the job. An acquittal or dismissal can support expunction, destroying the record. A completed deferred adjudication can support a nondisclosure order sealing it from the public, even though many boards retain access. Timing rules, waiting periods, and eligibility vary by disposition and offense, and DWI cases have their own special nondisclosure rules. Record clearing does not rewrite what you already disclosed, but it shapes every future application, employer search, and renewal for the rest of your career. It is the last step of the license defense, not an afterthought.

The one-page protocol

- **Within 48 hours of arrest:** hire criminal counsel who understands license consequences, or a criminal-and-license team. Say nothing to employers, boards, or investigators until the strategy exists.
- **Week one:** identify every license, registration, and certification you hold, state and federal. Map each one's reporting trigger and deadline against this book and current rules. Calendar everything.
- **Before any deadline:** file required reports, through counsel, accurately and briefly. Never volunteer theories, never guess at facts.
- **Before any plea:** obtain a written analysis of what the proposed disposition does to each license. If your lawyer cannot answer, pause the plea.
- **At every renewal:** answer criminal history questions exactly as written, consistently with every prior disclosure.
- **After resolution:** evaluate expunction or nondisclosure eligibility and calendar the earliest filing date.

You built a career that required an examination, a background check, and a board's ongoing trust. One bad night, or one false accusation, does not have to take it. What protects it is not luck. It is sequence, candor, and two defenses run as one. If you hold a license and you are facing a charge in Texas, call us early, while every option is still on the table. The case review is free, and the conversation is confidential.

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