

By: Armbrister

S.B. No. 500

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of certain electricians;  
providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 8, Occupations Code, is amended by adding  
Chapter 1305 to read as follows:

CHAPTER 1305. ELECTRICIANS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1305.001. SHORT TITLE. This chapter may be cited as  
the Texas Electrical Safety and Licensing Act.

Sec. 1305.002. DEFINITIONS. In this chapter:

(1) "Board" means the Texas Electrical Licensing  
Board.

(2) "Electrical code" means the National Electrical  
Code published by the National Fire Protection Association as  
adopted by the board.

(3) "Electrical contracting" means the business of  
designing, installing, erecting, repairing, or altering electrical  
wires or conductors to be used for light, heat, power, or signaling  
purposes. The term 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.

1           (4) "Electrical contractor" means a person engaged in  
2 electrical contracting.

3           (5) "Electrical engineer" means a person licensed  
4 under Chapter 1001 who possesses the necessary qualifications,  
5 training, and technical knowledge to perform electrical  
6 engineering work in this state.

7           (6) "Electrical inspector" means a person certified by  
8 the International Association of Electrical Inspectors.

9           (7) "Electrical work" means any labor or material used  
10 in installing, maintaining, or extending an electrical wiring  
11 system and the appurtenances, apparatus, or equipment used in  
12 connection with the use of electrical energy in, on, outside, or  
13 attached to a building, residence, structure, property, or  
14 premises. The term includes service entrance conductors as defined  
15 by the National Electrical Code.

16           (8) "Residential wireman" means a person licensed  
17 under this chapter who may only perform electrical installations in  
18 single-family and multifamily dwellings not exceeding four  
19 stories.

20           (9) "Training director" means a person who is  
21 responsible for supervising training programs for apprentice  
22 electricians.

23           Sec. 1305.003. EXEMPTIONS; APPLICATION OF CHAPTER. (a)  
24 This chapter does not apply to:

25           (1) the installation of electrical equipment in a  
26 ship, watercraft other than a floating building, railway rolling  
27 stock, aircraft, or a motor vehicle other than a mobile home or

1 recreational vehicle;

2 (2) the installation of electrical equipment  
3 underground in a mine and in self-propelled mobile surface mining  
4 machinery and its attendant electrical trailing cable;

5 (3) the installation of electrical equipment for  
6 generation, transformation, transmission, or distribution of power  
7 used exclusively to operate railway rolling stock or exclusively  
8 for signaling and communications purposes;

9 (4) the installation of communications equipment  
10 under the exclusive control of a communications utility and located  
11 outdoors or in a building used exclusively for those installations,  
12 provided that the voltage does not exceed 50 volts;

13 (5) the installation of electrical equipment under the  
14 exclusive control of an electric utility and used for  
15 communications or metering, or for the generation, control,  
16 transformation, transmission, and distribution of electric energy,  
17 and located:

18 (A) in a building used exclusively by a utility  
19 for those purposes;

20 (B) outdoors on property owned or leased by the  
21 utility;

22 (C) on public highways, streets, roads, or other  
23 public rights-of-way; or

24 (D) outdoors by established rights on private  
25 property;

26 (6) work not specifically regulated by a municipal  
27 ordinance that is performed in or on a dwelling by a person who owns

1 and resides in the dwelling;

2 (7) work involved in the manufacture of electrical  
3 equipment;

4 (8) electrical maintenance work involving the  
5 removal, maintenance, or repair of existing electrical equipment  
6 if:

7 (A) the work does not involve the extension,  
8 relocation, alteration, or addition of electrical wiring and  
9 equipment;

10 (B) the work is performed by a person regularly  
11 employed as a maintenance person at the building or premises;

12 (C) the work is performed in conjunction with the  
13 business in which the person is employed; and

14 (D) the person does not engage in electrical work  
15 for the public;

16 (9) the installation, maintenance, alteration, or  
17 repair of electrical equipment or associated wiring under the  
18 exclusive control of a gas utility and used for communications or  
19 metering or for the control, transmission, or distribution of  
20 natural gas; and

21 (10) thoroughfare lighting controlled by a  
22 governmental entity.

23 (b) This chapter applies to all premises wiring that  
24 originates where an electric utility's facilities end and a  
25 nonutility customer's electric facilities begin.

26 (c) This chapter applies to an installation in a building  
27 used by a utility for purposes other than a purpose listed in this

1 section, including an office building, warehouse, garage, machine  
2 shop, or recreational building that is not an integral part of a  
3 generating plant, substation, or control center.

4 Sec. 1305.004. APPLICATION OF SUNSET ACT. The Texas  
5 Electrical Licensing Board is subject to Chapter 325, Government  
6 Code (Texas Sunset Act). Unless continued in existence as provided  
7 by that chapter, the board is abolished and this chapter expires  
8 September 1, 2015.

9 [Sections 1305.005-1305.050 reserved for expansion]

10 SUBCHAPTER B. TEXAS ELECTRICAL LICENSING BOARD

11 Sec. 1305.051. TEXAS ELECTRICAL LICENSING BOARD. (a) The  
12 Texas Electrical Licensing Board consists of nine members appointed  
13 by the governor with the advice and consent of the senate as  
14 follows:

15 (1) one member who is a master electrician and is a  
16 member of a statewide association of electrical contractors not  
17 affiliated with a labor organization;

18 (2) one member who is a master electrician and is a  
19 member of a statewide association of electrical contractors  
20 affiliated with a labor organization;

21 (3) one member who is a journeyman electrician  
22 employed by a member of a statewide association of electrical  
23 contractors not affiliated with a labor organization;

24 (4) one member who is a journeyman electrician who is a  
25 member of a statewide labor organization;

26 (5) one member who is a training director affiliated  
27 with a statewide organization that is not affiliated with a labor

1 organization;

2 (6) one member who is a training director affiliated  
3 with a statewide labor organization;

4 (7) one member who is a licensed electrical engineer  
5 selected from a list of names submitted by a statewide association  
6 of professional engineers;

7 (8) one member who is an electrical inspector selected  
8 from a list of names submitted by a statewide association of  
9 municipal governments; and

10 (9) one member who represents the public.

11 (b) In appointing members of the board under Subsections  
12 (a)(1)-(7), the governor may consider the names of individuals  
13 submitted by trade associations and labor organizations having  
14 members who are engaged in the relevant trade or profession.

15 (c) An appointment to the board shall be made without regard  
16 to the race, color, disability, sex, religion, age, or national  
17 origin of the appointee.

18 Sec. 1305.052. PUBLIC MEMBER ELIGIBILITY. A person is not  
19 eligible for appointment as the public member of the board if the  
20 person or the person's spouse:

21 (1) is registered, certified, or licensed by an  
22 occupational regulatory agency in the field of electrical  
23 construction;

24 (2) is employed by or participates in the management  
25 of a business entity or other organization regulated by the board or  
26 receiving funds from the board;

27 (3) owns or controls, directly or indirectly, more

1 than a 10 percent interest in a business entity or other  
2 organization regulated by the board or receiving funds from the  
3 board; or

4 (4) uses or receives a substantial amount of tangible  
5 goods, services, or funds from the board, other than compensation  
6 or reimbursement authorized by law for board membership,  
7 attendance, or expenses.

8 Sec. 1305.053. MEMBERSHIP AND EMPLOYEE RESTRICTION. A  
9 person may not serve as a member of the board or act as the general  
10 counsel to the board if the person is required to register as a  
11 lobbyist under Chapter 305, Government Code, because of the  
12 person's activities for compensation on behalf of a profession  
13 related to the operation of the board.

14 Sec. 1305.054. REMOVAL OF MEMBERS. (a) The governor may  
15 remove an appointed board member for inefficiency, abuse, or  
16 neglect of duty in office. In addition, it is a ground for removal  
17 from the board that a member:

18 (1) does not have at the time of appointment the  
19 qualifications required by Section 1305.051 for appointment to the  
20 board;

21 (2) does not maintain during service on the board the  
22 qualifications required by Section 1305.051 for appointment to the  
23 board;

24 (3) is ineligible for membership under Section  
25 1305.052; or

26 (4) violates a prohibition established by Section  
27 1305.053.

1        (b) If the executive director has knowledge that a potential  
2 ground for removal exists, the executive director shall notify the  
3 presiding officer of the board of the ground. The presiding officer  
4 shall then notify the governor that a potential ground for removal  
5 exists.

6        (c) The validity of an action of the board is not affected by  
7 the fact that it was taken when a ground for removal of a member of  
8 the board existed.

9        Sec. 1305.055. TERMS; VACANCIES. (a) Board members serve  
10 terms of six years, with the terms of three members expiring on  
11 February 1 of each odd-numbered year.

12        (b) A member may not consecutively serve more than two full  
13 terms.

14        (c) If a vacancy occurs during a term, the governor shall  
15 appoint a replacement who meets the qualifications of the vacated  
16 position to serve for the remainder of the term.

17        Sec. 1305.056. PRESIDING OFFICER. The board shall elect  
18 one of its members to serve as presiding officer for a term of one  
19 year. The presiding officer may vote on any matter before the  
20 board.

21        Sec. 1305.057. COMPENSATION; REIMBURSEMENT OF EXPENSES.  
22 Board members may not receive compensation but are entitled to  
23 reimbursement for actual and necessary expenses incurred in  
24 performing the functions of the board, subject to the General  
25 Appropriations Act.

26        Sec. 1305.058. MEETINGS. The board shall meet at least once  
27 every four months and may meet at other times at the call of the



1 presiding officer or as provided by the rules of the board.

2 [Sections 1305.059-1305.100 reserved for expansion]

3 SUBCHAPTER C. BOARD PERSONNEL

4 Sec. 1305.101. EXECUTIVE DIRECTOR; PERSONNEL. The board  
5 shall employ an executive director who may hire the personnel  
6 necessary to administer the duties of the board.

7 Sec. 1305.102. EMPLOYEE RESTRICTIONS. (a) In this  
8 section, "Texas trade association" means a nonprofit, cooperative,  
9 and voluntarily joined association of business or professional  
10 competitors in this state designed to assist its members and its  
11 industry or profession in dealing with mutual business or  
12 professional problems and in promoting their common interest.

13 (b) An officer, employee, or paid consultant of a Texas  
14 trade association or union in the field of electrical contracting  
15 may not be an employee of the board who is exempt from the state's  
16 position classification plan or is compensated at or above the  
17 amount prescribed by the General Appropriations Act for step 1,  
18 salary group A17, of the position classification salary schedule.

19 (c) A person who is the spouse of an officer, employee, or  
20 paid consultant of a Texas trade association or union in the field  
21 of electrical contracting may not be a board employee who is exempt  
22 from the state's position classification plan or is compensated at  
23 or above the amount prescribed by the General Appropriations Act  
24 for step 1, salary group A17, of the position classification salary  
25 schedule.

26 Sec. 1305.103. QUALIFICATIONS AND STANDARDS OF CONDUCT.  
27 The board shall provide to its members and employees as often as is

1 necessary information regarding their qualifications under this  
2 chapter and their responsibilities under applicable laws relating  
3 to standards of conduct for state officers or employees.

4 [Sections 1305.104-1305.150 reserved for expansion]

5 SUBCHAPTER D. BOARD POWERS AND DUTIES

6 Sec. 1305.151. GENERAL POWERS AND DUTIES OF BOARD. The  
7 board shall:

8 (1) by rule establish the financial responsibility  
9 requirements for electrical contractors;

10 (2) after publication of the National Electrical Code  
11 by the National Fire Protection Association every three years,  
12 adopt the revised National Electrical Code as the electrical code  
13 for the state, as amended by the board;

14 (3) establish reciprocity agreements with other  
15 states that have licensing requirements substantially equivalent  
16 to the requirements of this chapter; and

17 (4) take other action as necessary to administer and  
18 enforce this chapter.

19 Sec. 1305.152. RULES. (a) The board shall adopt rules for  
20 the licensing of electricians and electrical contractors as  
21 prescribed by this chapter.

22 (b) The board may not adopt a rule without explicit  
23 authorization under this chapter.

24 Sec. 1305.153. FEES. The board shall establish and collect  
25 reasonable and necessary fees in amounts sufficient to cover the  
26 costs of administering this chapter.

27 [Sections 1305.154-1305.200 reserved for expansion]

1                   SUBCHAPTER E. PUBLIC INTEREST INFORMATION

2                                   AND COMPLAINT PROCEDURES

3           Sec. 1305.201. PUBLIC INTEREST INFORMATION. (a) The board  
4 shall prepare information of public interest describing the  
5 functions of the board and the procedures by which complaints are  
6 filed with and resolved by the board.

7           (b) The board shall make the information available to the  
8 public and appropriate state agencies.

9           Sec. 1305.202. PUBLIC PARTICIPATION. The board shall  
10 develop and implement policies that provide the public with a  
11 reasonable opportunity to appear before the board and to speak on  
12 any issue under the jurisdiction of the board.

13           Sec. 1305.203. COMPLAINTS. The board by rule shall  
14 establish methods by which consumers and service recipients are  
15 notified of the name, mailing address, and telephone number of the  
16 board for the purpose of directing complaints to the board. The  
17 board may provide for that notification:

18                   (1) on each registration form, application, or written  
19 contract for services of a person regulated under this chapter;

20                   (2) on a sign prominently displayed in the place of  
21 business of each person regulated under this chapter; or

22                   (3) in a bill for service provided by a person  
23 regulated under this chapter.

24                   [Sections 1305.204–1305.250 reserved for expansion]

25                                   SUBCHAPTER F. LICENSE REQUIREMENTS

26           Sec. 1305.251. LICENSE REQUIRED. A person may not perform  
27 electrical work unless the person holds an appropriate license

1 issued or recognized under this chapter.

2 Sec. 1305.252. APPLICATION REQUIREMENTS. An applicant for  
3 a license under this chapter must:

4 (1) submit to the board a completed application on a  
5 form prescribed by the board;

6 (2) submit to the board any other information required  
7 by board rule;

8 (3) demonstrate to the satisfaction of the board the  
9 appropriate amount of electrical work experience as required by  
10 this subchapter; and

11 (4) pay the application and examination fees.

12 Sec. 1305.253. REQUIREMENTS FOR MASTER ELECTRICIAN. An  
13 applicant for a license as a master electrician must:

14 (1) have at least 12,000 hours of on-the-job training  
15 under the supervision of a master or journeyman electrician; and

16 (2) pass a master electrician examination  
17 administered under this chapter.

18 Sec. 1305.254. MASTER SIGN ELECTRICIAN. An applicant for a  
19 license as a master sign electrician must:

20 (1) have at least 12,000 hours of on-the-job training  
21 under the supervision of a master or journeyman sign electrician;  
22 and

23 (2) pass a master sign electrician examination  
24 administered under this chapter.

25 Sec. 1305.255. JOURNEYMAN ELECTRICIAN. An applicant for a  
26 license as a journeyman electrician must:

27 (1) have at least 8,000 hours of on-the-job training

1 under the supervision of a master or journeyman electrician; and

2 (2) pass a journeyman electrician examination  
3 administered under this chapter.

4 Sec. 1305.256. JOURNEYMAN SIGN ELECTRICIAN. An applicant  
5 for a license as a journeyman sign electrician must:

6 (1) have at least 8,000 hours of on-the-job training  
7 under the supervision of a master or journeyman sign electrician;  
8 and

9 (2) pass a journeyman sign electrician examination  
10 administered under this chapter.

11 Sec. 1305.257. RESIDENTIAL WIREMAN. An applicant for a  
12 license as a residential wireman must:

13 (1) have at least 4,000 hours of on-the-job training  
14 under the supervision of a master or journeyman electrician or  
15 residential wireman; and

16 (2) pass a residential wireman examination  
17 administered under this chapter.

18 Sec. 1305.258. MAINTENANCE ELECTRICIAN. An applicant for a  
19 license as a maintenance electrician must:

20 (1) have at least 8,000 hours of on-the-job training  
21 under the supervision of a master or journeyman electrician or  
22 maintenance electrician; and

23 (2) pass a maintenance electrician examination  
24 administered under this chapter.

25 Sec. 1305.259. ELECTRICAL CONTRACTOR. (a) An applicant  
26 for a license as an electrical contractor must:

27 (1) be licensed under this chapter as a master

1 electrician or employ a person licensed under this chapter as a  
2 master electrician;

3 (2) establish proof of financial responsibility in the  
4 manner prescribed by the board; and

5 (3) maintain workers' compensation coverage for the  
6 contractor's employees as prescribed by the Labor Code.

7 (b) A person who holds a master electrician license issued  
8 or recognized by this chapter may only be assigned to a single  
9 electrical contractor, unless the master electrician owns more than  
10 50 percent of the electrical contracting business.

11 Sec. 1305.260. ELECTRICAL SIGN CONTRACTOR. (a) An  
12 applicant for a license as an electrical sign contractor must:

13 (1) be licensed under this chapter as a master sign  
14 electrician or employ a person licensed under this chapter as a  
15 master sign electrician;

16 (2) establish proof of financial responsibility in the  
17 manner prescribed by the board; and

18 (3) maintain workers' compensation coverage for the  
19 contractor's employees as prescribed by the Labor Code.

20 (b) A person who holds a master sign electrician license  
21 issued or recognized by this chapter may only be assigned to a  
22 single electrical contractor, unless the master sign electrician  
23 owns more than 50 percent of the electrical sign contracting  
24 business.

25 Sec. 1305.261. ELECTRICAL APPRENTICE. An applicant for a  
26 license as an electrical apprentice must be at least 16 years of age  
27 and be engaged in the process of learning and assisting in the

1 installation of electrical work under the supervision of a licensed  
2 master or journeyman electrician.

3 Sec. 1305.262. EXAMINATIONS. (a) Examinations required by  
4 this subchapter shall be conducted at least once each month  
5 throughout the state in regional locations designated by the board.

6 (b) The board shall prescribe the content of each written  
7 examination, which must test the knowledge of the applicant about  
8 materials and methods used in electrical installations and the  
9 standards prescribed by the National Electrical Code as adopted by  
10 the board.

11 (c) The board shall determine uniform standards for  
12 acceptable performance on an examination.

13 (d) An applicant who does not pass the examination may not  
14 retake the examination before the 90th day after the date of the  
15 failed examination.

16 (e) The board may contract with a national testing service  
17 to administer examinations.

18 Sec. 1305.263. EXAMINATION RESULTS. (a) Not later than the  
19 30th day after the date on which an examination is administered  
20 under this chapter, the board shall notify each examinee of the  
21 results of the examination. If an examination is graded or reviewed  
22 by a national testing service, the board shall notify examinees of  
23 the result of the examination not later than the 14th day after the  
24 date on which the board receives the results from the testing  
25 service.

26 (b) If the notice of the examination results will be delayed  
27 for more than 60 days after the examination date, the board shall

1 notify each examinee of the reason for the delay before the 60th  
2 day.

3 (c) If requested in writing by a person who fails an  
4 examination administered under this chapter, the board shall  
5 provide to the person an analysis of the person's performance on the  
6 examination.

7 Sec. 1305.264. NONRESIDENT LICENSE APPLICANT. The board  
8 may issue a license under this chapter to an applicant who holds a  
9 license in another state and who submits a proper application and  
10 pays the required fees if the board determines that the applicant is  
11 licensed in a state with which there is an agreement to recognize  
12 licenses issued under this chapter.

13 Sec. 1305.265. LICENSE ISSUANCE; NONTRANSFERABILITY. (a)  
14 Not later than the 30th day after the date on which the board  
15 determines that an applicant has passed the examination required  
16 under this chapter, the board shall issue a license to the applicant  
17 if the applicant has complied with the application requirements and  
18 paid the fees required by this chapter.

19 (b) A license issued by the board is valid throughout this  
20 state and is not transferable.

21 Sec. 1305.266. DISPLAY OF LICENSE. (a) An electrical  
22 contractor and electrical sign contractor shall display the  
23 contractor's business name and the number of the license issued by  
24 the board on each vehicle owned by the contractor.

25 (b) The information required to be displayed must be:

26 (1) printed in letters and numbers that are at least  
27 two inches high and in a color that contrasts with the color of the



1 background surface; and

2 (2) permanently affixed in conspicuous places on both  
3 sides of the vehicle.

4 Sec. 1305.267. LICENSE RENEWAL. (a) Except as provided by  
5 Subsection (b), a license expires on December 31 of the third year  
6 after issuance and may be renewed every three years on payment of  
7 the required renewal fee.

8 (b) The board by rule may adopt a system under which  
9 licenses expire on various dates during the year. For the year in  
10 which the license expiration date is changed, renewal fees payable  
11 on or before December 31 shall be prorated on a monthly basis so  
12 that each license holder pays only that portion of the renewal fee  
13 that is applicable to the number of months during which the license  
14 is valid. On renewal of the license on the new expiration date, the  
15 total renewal fee is due.

16 (c) Not later than the 30th day preceding the expiration  
17 date of a person's license, the board shall notify the person in  
18 writing, at the person's last known mailing address, of the  
19 impending license expiration. A person may renew an unexpired  
20 license by paying to the board, before the license expiration date,  
21 the required renewal fee.

22 (d) A person whose license has been expired for 90 days or  
23 less may renew the license by paying to the board the required  
24 renewal fee and a late fee in an amount equal to half of the  
25 examination fee for the license. A person whose license has been  
26 expired for more than 90 days but less than two years may renew the  
27 license by paying to the board all unpaid renewal fees and a late

1 fee in an amount equal to the examination fee for the license. A  
2 person whose license has been expired for more than two years may  
3 not renew the license. The person may obtain a new license by  
4 submitting to reexamination and complying with the requirements and  
5 procedures for obtaining an original license.

6 Sec. 1305.268. CONTINUING EDUCATION. To renew a master  
7 electrician, journeyman electrician, master sign electrician,  
8 journeyman sign electrician, maintenance electrician, or  
9 residential wireman license, the license holder must complete eight  
10 hours of continuing education every three years.

11 [Sections 1305.269–1305.300 reserved for expansion]

12 SUBCHAPTER G. REGULATION OF ELECTRICIANS BY LOCAL GOVERNMENTS

13 Sec. 1305.301. MUNICIPAL OR REGIONAL REGULATION. (a) This  
14 chapter does not prohibit a municipality or region from regulating  
15 electricians by:

16 (1) enacting an ordinance requiring inspections;  
17 (2) offering examinations;  
18 (3) issuing municipal or regional licenses; or  
19 (4) collecting permit fees for municipal or regional  
20 licenses and examinations from electricians for work performed in  
21 the municipality or region.

22 (b) A municipality or region may not require a person to  
23 take a municipal or regional examination if that person holds the  
24 appropriate license issued under this chapter and is working within  
25 the scope of that license.

26 (c) Electrical work must be installed in accordance with all  
27 applicable local ordinances or in accordance with standards at

1 least as stringent as those contained in the state electrical code  
2 adopted by the board.

3 Sec. 1305.302. SCOPE OF MUNICIPAL OR REGIONAL LICENSE. A  
4 license to perform electrical work issued by a municipality or  
5 region is valid only in the municipality or region or in another  
6 municipality or region under a reciprocal agreement.

7 [Sections 1305.303–1305.350 reserved for expansion]

8 SUBCHAPTER H. LICENSE DENIAL AND DISCIPLINARY ACTIONS

9 Sec. 1305.351. GROUNDS FOR DENIAL OR DISCIPLINARY ACTION.

10 The board shall adopt rules establishing:

11 (1) the grounds for:

12 (A) denial, suspension, or revocation of a  
13 license;

14 (B) issuance of a reprimand to a license holder;

15 or

16 (C) placement of a license holder on probation;

17 and

18 (2) procedures for disciplinary actions.

19 Sec. 1305.352. REQUESTED SUSPENSION BY LOCAL GOVERNMENT. A  
20 municipality or region may request suspension for just cause of the  
21 license under this chapter of a license holder working in its  
22 jurisdiction.

23 Sec. 1305.353. HEARINGS; ADMINISTRATIVE PROCEDURE. (a) If  
24 the board proposes to deny, suspend, or revoke a license, the  
25 license holder is entitled to a hearing before the board.

26 (b) The board's proceedings relating to the denial,  
27 suspension, or revocation of a license issued under this chapter

1 are governed by Chapter 2001, Government Code.

2 Sec. 1305.354. NEW APPLICATION BY HOLDER OF REVOKED  
3 LICENSE. A license holder whose license has been revoked may apply  
4 for a new license after the first anniversary of the date of the  
5 revocation.

6 [Sections 1305.355-1305.400 reserved for expansion]

7 SUBCHAPTER I. ENFORCEMENT

8 Sec. 1305.401. CRIMINAL PENALTY. (a) A person commits an  
9 offense if the person knowingly:

10 (1) violates the licensing requirements of this  
11 chapter;

12 (2) performs electrical work without a license to  
13 perform electrical work in this state; or

14 (3) employs an individual who does not hold the  
15 appropriate license required by this chapter.

16 (b) An offense under this section is a Class C misdemeanor.

17 SECTION 2. (a) Except as otherwise provided by this  
18 section, this Act takes effect September 1, 2003.

19 (b) Sections 1305.251 and 1305.401, Occupations Code, as  
20 added by this Act, take effect March 1, 2004.

21 (c) In making the initial appointments to the Texas  
22 Electrical Licensing Board, the governor shall appoint:

23 (1) three members for terms expiring February 1, 2005;

24 (2) three members for terms expiring February 1, 2007;

25 and

26 (3) three members for terms expiring February 1, 2009.

27 SECTION 3. (a) The Texas Electrical Licensing Board shall

1 issue a license to a qualified applicant under this section who:

2 (1) applies for a license under this section not later  
3 than September 1, 2004;

4 (2) submits to the board the information required by  
5 board rule;

6 (3) has the experience required by this section; and

7 (4) pays the application fee.

8 (b) An applicant for a license under this section as a  
9 master electrician who works in an area in which a municipal or  
10 regional licensing program exists is required to have:

11 (1) completed at least 12,000 hours of on-the-job  
12 training under the supervision of a master or journeyman  
13 electrician; and

14 (2) held a municipal or regional master electrician  
15 license for at least one year.

16 (c) An applicant for a license under this section as a  
17 master electrician working in an area in which a municipal or  
18 regional licensing program does not exist is required to have  
19 completed at least 20,000 hours of on-the-job training under the  
20 supervision of a master or journeyman electrician.

21 (d) An applicant for a license under this section as a  
22 master sign electrician working in an area in which a municipal or  
23 regional licensing program exists is required to have:

24 (1) completed at least 12,000 hours of on-the-job  
25 training under the supervision of a master or journeyman sign  
26 electrician; and

27 (2) held a municipal or regional master sign

1 electrician license for at least one year.

2 (e) An applicant for a license under this section as a  
3 master sign electrician working in an area in which a municipal or  
4 regional licensing program does not exist is required to have  
5 completed at least 20,000 hours of on-the-job training under the  
6 supervision of a master or journeyman sign electrician.

7 (f) An applicant for a license under this section as a  
8 journeyman electrician is required to have:

9 (1) completed at least 12,000 hours of on-the-job  
10 training under the supervision of a master or journeyman  
11 electrician;

12 (2) held a municipal or regional journeyman  
13 electrician license for at least one year; or

14 (3) graduated from an electrical apprenticeship  
15 program consisting of at least 576 hours of job-related education  
16 and 8,000 hours of on-the-job training.

17 (g) An applicant for a license under this section as a  
18 journeyman sign electrician is required to have:

19 (1) completed at least 12,000 hours of on-the-job  
20 training under the supervision of a licensed master or journeyman  
21 sign electrician;

22 (2) held a municipal or regional journeyman sign  
23 electrician license for at least one year; or

24 (3) graduated from an electrical sign apprenticeship  
25 program consisting of at least 576 hours of job-related education  
26 and 8,000 hours of on-the-job training.

27 (h) An applicant for a license under this section as a

1 residential wireman is required to have:

2 (1) completed at least 8,000 hours of on-the-job  
3 training under the supervision of a licensed master or journeyman  
4 electrician or a residential wireman;

5 (2) held a municipal or regional residential wireman  
6 license for at least one year; or

7 (3) graduated from a residential wireman  
8 apprenticeship program consisting of at least 288 hours of  
9 job-related education and 4,000 hours of on-the-job training.

10 (i) An applicant for a license under this section as a  
11 maintenance electrician is required to have:

12 (1) completed at least 12,000 hours of on-the-job  
13 training;

14 (2) held a municipal or regional maintenance  
15 electrician license for at least one year; or

16 (3) graduated from an electrical maintenance  
17 apprenticeship program consisting at least 576 hours of job-related  
18 education and 8,000 hours of on-the-job training.

19 (j) This section expires September 1, 2005.