

BILL ANALYSIS

Senate Research Center
79R2406 SMH-D

H.B. 473
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Natural Resources
5/17/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law requires the Railroad Commission of Texas to prepare and administer all liquefied petroleum (LP)-gas licensing examinations. These exams are given in Austin and other locations in the state. They involve staff time, travel time, and travel expenses.

While staff is able to combine administering the examinations with training and continuing education classes offered statewide, the potential to contract with an outside testing service to prepare, administer, grade or review the examinations would allow the commission to be more flexible if circumstances changed.

H.B. 473 allows the Railroad Commission of Texas to contract with a testing service to prepare, administer, and grade or review LP-gas examinations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 113.087(a)-(d), Natural Resources Code, as follows:

- (a) Requires the Railroad Commission of Texas (commission) to prepare, administer, and grade or review an examination required by this section or contract with a testing service to prepare, administer, and grade or review the examination.
- (b) Deletes existing text requiring the examination to be prepared and administered by the commission.
- (c) Requires each individual who will be actively supervising those operations requiring any license under this chapter, other than a license under Section 113.082(a)(16), rather a category "P" license, at any outlet or location, as designated by the commission, to be required to provide good and sufficient proof through examination that the supervisor has working knowledge of the safety requirements and penalties in this chapter and the rules of the commission which apply to that type of license. Requires each licensee, under Section 113.082(a)(5), rather than category "E," who provides portable cylinders to a licensee under Section 113.082(a)(16), rather than category "P," to provide specific information. Makes conforming changes.
- (d) Makes conforming changes.

SECTION 2. Amends Section 113.088(b), Natural Resources Code, as follows:

- (b) Requires the commission to receive a nonrefundable fee for each examination or seminar registration, before seminar attendance or examination of any person, except as provided by this subsection or Subsection (c). Authorizes the testing service to administer the examination before the commission receives the fee, if the examination is administered by a testing service. Requires the testing service that administers an examination to collect a nonrefundable fee for the examination before the examination is

administered and to forward the fee not later than the fifth business day after the date the testing service receives the fee.

SECTION 3. Effective date: September 1, 2005.