

By: Bonnen

H.B. No. 1386

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an exemption from the requirement to be licensed as an
3 electrician for persons performing certain industrial work.

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

5 SECTION 1. Section 1305.003(a), Occupations Code, is
6 amended to read as follows:

7 (a) This chapter does not apply to:

8 (1) the installation of electrical equipment in a
9 ship, watercraft other than a floating building, railway rolling
10 stock, aircraft, or a motor vehicle other than a mobile home or
11 recreational vehicle;

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

15 (3) the installation of electrical equipment for
16 generation, transformation, transmission, or distribution of power
17 used exclusively to operate railway rolling stock or exclusively
18 for signaling and communications purposes;

19 (4) the installation, maintenance, alteration, or
20 repair of communications equipment provided by a
21 telecommunications provider;

22 (5) the installation, maintenance, alteration, or
23 repair of electrical equipment under the exclusive control of an
24 electric utility, electric cooperative, or municipally owned

1 utility and used for communications or metering, or for the
2 generation, control, transformation, transmission, and
3 distribution of electrical energy, and located:

4 (A) in a building used exclusively by a utility
5 for those purposes;

6 (B) outdoors on property owned or leased by the
7 utility;

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

10 (D) outdoors by established rights in vaults or
11 on private property;

12 (6) work not specifically regulated by a municipal
13 ordinance that is performed in or on a dwelling by a person who owns
14 and resides in the dwelling;

15 (7) work involved in the manufacture of electrical
16 equipment;

17 (8) electrical maintenance work if:

18 (A) the work is performed by a person regularly
19 employed as a maintenance person at the building or premises;

20 (B) the work is performed in conjunction with the
21 business in which the person is employed; and

22 (C) the person does not engage in electrical work
23 for the public;

24 (9) the installation, maintenance, alteration, or
25 repair of electrical equipment or associated wiring under the
26 exclusive control of a gas utility and used for communications or
27 metering or for the control, transmission, or distribution of

1 natural gas;

2 (10) thoroughfare lighting, traffic signals,
3 intelligent transportation systems, and telecommunications
4 controlled by a governmental entity;

5 (11) electrical connections supplying heating,
6 ventilation, and cooling and refrigeration equipment, including
7 any required disconnect exclusively for the equipment, if the
8 service is performed by a licensed air conditioning and
9 refrigeration contractor under Chapter 1302;

10 (12) the design, installation, erection, repair, or
11 alteration of Class 1, Class 2, or Class 3 remote control,
12 signaling, or power-limited circuits, fire alarm circuits, optical
13 fiber cables, or communications circuits, including raceways, as
14 defined by the National Electrical Code;

15 (13) landscape irrigation installers, as necessary to
16 perform the installation and maintenance of irrigation control
17 systems, and landscapers, as necessary to perform the installation
18 and maintenance of low-voltage exterior lighting and holiday
19 lighting excluding any required power source;

20 (14) a person who is employed by and performs
21 electrical work solely for a private industrial business, including
22 a business that operates a chemical plant, petrochemical plant,
23 refinery, natural gas plant, natural gas treating plant, pipeline,
24 or oil and gas exploration and production operation;

25 (15) the installation, maintenance, alteration, or
26 repair of elevators, escalators, or related equipment, excluding
27 any required power source, regulated under Chapter 754, Health and

1 Safety Code;

2 (16) the installation, maintenance, alteration, or
3 repair of equipment or network facilities provided or utilized by a
4 cable operator, as that term is defined by 47 U.S.C. Section 522, as
5 amended; ~~and~~

6 (17) the location, design, construction, extension,
7 maintenance, and installation of on-site sewage disposal systems in
8 accordance with Chapter 366, Health and Safety Code; and

9 (18) a person who is not employed by, but who performs
10 electrical work solely for, a private industrial business that
11 operates a chemical plant, petrochemical plant, or refinery.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2005.