

## **BILL ANALYSIS**

C.S.H.B. 1281  
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Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, commercial sheet metal workers in Texas are not licensed. Quality commercial sheet metal work is essential to insure effective operation of fire protection systems, as well as in creating and preserving healthy indoor air quality.

CSHB 1281 is designed to create standards for the individuals who perform commercial sheet metal work in Texas. CSHB 1281 creates a licensing scheme to help insure that the individuals engaged in the trade of commercial sheet metal work have the skill, training, and expertise necessary to insure safe, reliable, and quality workmanship in the performance of these tasks.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 4 of this bill.

### **ANALYSIS**

CSHB 1281 defines "commercial heating, ventilation, and air-conditioning system" and "commercial sheet metal work" and establishes a journeyman sheet metal worker licensing program for commercial HVAC projects under the Texas Department of Licensing and Regulation (TDLR). CSHB 1281 provides for the licensing of apprentice sheet metal workers to be engaged in the process of learning and assisting journeyman sheet metal workers while registered in a U.S. Department of Labor apprenticeship program or while receiving on the job training from a properly licensed contractor. CSHB 1281 also provides for license examinations under the authority of TDLR and sets out the requirements for examinations. Furthermore, CSHB 1281 establishes procedures for license issuance and renewal, and mandates continuing education requirements for sheet metal journeyman and apprenticeship license holders.

### **EFFECTIVE DATE**

Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 1281 differs from the original by:

- Removing rulemaking authority from the commission regarding the establishment of a process to evaluate and certify the amount of sheet metal work experience claimed by an applicant for a license;
- Adding "guilty plea" and "deferred adjudication" to the criminal history record information the department may consider in the licensing process;
- Removing the requirement that a journeyman sheet metal worker *must* demonstrate a working knowledge of certain subjects on the license examination discussed under Section 1302.505 and instead provides that the journeyman *may* be required to demonstrate such knowledge;
- Adding subject matter to the examination – "the laws, rules and codes governing heating, ventilating and air-conditioning systems";
- Making conforming changes – deleting "department" and replacing with "commission" in Section 1302.507; and
- Deleting reference to advisory board certification of continuing education programs.