

1-1 By: Goolsby (Senate Sponsor - Carona) H.B. No. 1029  
1-2 (In the Senate - Received from the House March 29, 2007;  
1-3 April 3, 2007, read first time and referred to Committee on  
1-4 Business and Commerce; May 11, 2007, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 11, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to an exemption from electrician licensing requirements  
1-9 for certain work performed by a plumber.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 1305.003, Occupations Code, is amended  
1-12 by amending Subsection (a) and adding Subsection (f) to read as  
1-13 follows:

1-14 (a) This chapter does not apply to:

1-15 (1) the installation of electrical equipment in a  
1-16 ship, watercraft other than a floating building, railway rolling  
1-17 stock, aircraft, motor vehicle, or recreational vehicle;

1-18 (2) the installation of electrical equipment  
1-19 underground in a mine and in self-propelled mobile surface mining  
1-20 machinery and its attendant electrical trailing cable;

1-21 (3) the installation of electrical equipment for  
1-22 generation, transformation, transmission, or distribution of power  
1-23 used exclusively to operate railway rolling stock or exclusively  
1-24 for signaling and communications purposes;

1-25 (4) the installation, maintenance, alteration, or  
1-26 repair of communications equipment provided by a  
1-27 telecommunications provider;

1-28 (5) the installation, maintenance, alteration, or  
1-29 repair of electrical equipment under the exclusive control of an  
1-30 electric utility, power generation company as defined by Sections  
1-31 31.002(1) and (10), Utilities Code, electric cooperative, or  
1-32 municipally owned utility and used for communications or metering,  
1-33 or for the generation, control, transformation, transmission, and  
1-34 distribution of electrical energy, and located:

1-35 (A) in a building used exclusively by a utility  
1-36 or power generation company for those purposes;

1-37 (B) outdoors on property owned or leased by the  
1-38 utility or power generation company;

1-39 (C) on public highways, streets, roads, or other  
1-40 public rights-of-way; or

1-41 (D) outdoors by established rights in vaults or  
1-42 on private property;

1-43 (6) work not specifically regulated by a municipal  
1-44 ordinance that is performed in or on a dwelling by a person who owns  
1-45 and resides in the dwelling;

1-46 (7) work involved in the manufacture of electrical  
1-47 equipment that includes the on-site and off-site manufacturing,  
1-48 commissioning, testing, calibrating, coordinating,  
1-49 troubleshooting, or evaluating of electrical equipment, the  
1-50 repairing or retrofitting of electrical equipment with components  
1-51 of the same ampacity, and the maintenance and servicing of  
1-52 electrical equipment within the equipment's enclosure that is  
1-53 performed by an authorized employee of an electrical equipment  
1-54 manufacturer and limited to the type of products manufactured by  
1-55 the manufacturer;

1-56 (8) electrical work if:

1-57 (A) the work is performed by a person who does not  
1-58 engage in electrical work for the public;

1-59 (B) the work is performed by a person regularly  
1-60 employed as a maintenance person or maintenance electrician for a  
1-61 business; and

1-62 (C) the electrical work does not involve the  
1-63 installation of electrical equipment during new construction as  
1-64 defined by rules adopted under Chapter 151, Tax Code;

2-1 (9) the installation, maintenance, alteration, or  
2-2 repair of electrical equipment or associated wiring under the  
2-3 exclusive control of a gas utility and used for communications or  
2-4 metering or for the control, transmission, or distribution of  
2-5 natural gas;  
2-6 (10) thoroughfare lighting, traffic signals,  
2-7 intelligent transportation systems, and telecommunications  
2-8 controlled by a governmental entity;  
2-9 (11) electrical connections supplying heating,  
2-10 ventilation, and cooling and refrigeration equipment, including  
2-11 any required disconnect exclusively for the equipment, if the  
2-12 service is performed by a licensed air conditioning and  
2-13 refrigeration contractor under Chapter 1302;  
2-14 (12) the design, installation, erection, repair, or  
2-15 alteration of Class 1, Class 2, or Class 3 remote control,  
2-16 signaling, or power-limited circuits, fire alarm circuits, optical  
2-17 fiber cables, or communications circuits, including raceways, as  
2-18 defined by the National Electrical Code;  
2-19 (13) landscape irrigation installers, as necessary to  
2-20 perform the installation and maintenance of irrigation control  
2-21 systems, and landscapers, as necessary to perform the installation  
2-22 and maintenance of low-voltage exterior lighting and holiday  
2-23 lighting excluding any required power source;  
2-24 (14) electrical work performed at a business that  
2-25 operates:  
2-26 (A) a chemical plant, petrochemical plant,  
2-27 refinery, natural gas plant, natural gas treating plant, pipeline,  
2-28 or oil and gas exploration and production operation by a person who  
2-29 works solely for and is employed by that business; or  
2-30 (B) a chemical plant, petrochemical plant  
2-31 refinery, natural gas plant, or natural gas treatment plant by a  
2-32 person who under a contract of at least 12 months' duration performs  
2-33 electrical work for that plant and:  
2-34 (i) the electrical work is not performed  
2-35 during new construction as defined by rules adopted under Chapter  
2-36 151, Tax Code; or  
2-37 (ii) the person is not working for a  
2-38 contractor that has a principal place of business in another state  
2-39 or territory of the United States or a foreign country;  
2-40 (15) the installation, maintenance, alteration, or  
2-41 repair of elevators, escalators, or related equipment, excluding  
2-42 any required power source, regulated under Chapter 754, Health and  
2-43 Safety Code;  
2-44 (16) the installation, maintenance, alteration, or  
2-45 repair of equipment or network facilities provided or utilized by a  
2-46 cable operator, as that term is defined by 47 U.S.C. Section 522, as  
2-47 amended;  
2-48 (17) the location, design, construction, extension,  
2-49 maintenance, and installation of on-site sewage disposal systems in  
2-50 accordance with Chapter 366, Health and Safety Code, or an on-site  
2-51 sewage facility installer licensed under Chapter 37, Water Code;  
2-52 (18) electrical work performed on a building,  
2-53 structure, or equipment in agricultural use as defined by Section  
2-54 11.002, Water Code, other than the processing of an agricultural  
2-55 commodity;  
2-56 (19) the installation, maintenance, alteration, or  
2-57 repair of well pumps and equipment in accordance with Chapter 1902;  
2-58 [~~and~~]  
2-59 (20) electrical work required for the construction and  
2-60 assembly of HUD-code manufactured housing or modular housing and  
2-61 building units, other than the installation of service entrance  
2-62 conductors, that is performed by a licensed manufacturer or  
2-63 installer under Chapter 1201 or 1202, as applicable, if work  
2-64 performed is within the scope of the license as defined by  
2-65 applicable statutes and administrative rules; and  
2-66 (21) work performed by a plumber who holds a license or  
2-67 endorsement or is registered under Chapter 1301 that is necessary  
2-68 to install, service, maintain, repair, or replace any type of  
2-69 plumbing fixture or appliance, as described by Section 1301.002(7),

3-1 including a water heater, food disposer, garbage disposal, water  
3-2 softener, dishwashing machine, and clothes washing machine on  
3-3 existing electrical circuits only.

3-4 (f) For purposes of Subsection (a)(21), any installation or  
3-5 replacement of a plumbing fixture or appliance must meet the  
3-6 requirements of existing electrical circuits.

3-7 SECTION 2. This Act takes effect immediately if it receives  
3-8 a vote of two-thirds of all the members elected to each house, as  
3-9 provided by Section 39, Article III, Texas Constitution. If this  
3-10 Act does not receive the vote necessary for immediate effect, this  
3-11 Act takes effect September 1, 2007.

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