

By: Puente

H.B. No. 3017

A BILL TO BE ENTITLED

AN ACT

relating to the certification of water treatment specialists.

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

SECTION 1. Subchapter G, Chapter 341, Health and Safety Code, is transferred to Subtitle A, Title 12, Occupations Code, redesignated as Chapter 1904, Occupations Code, and amended to read as follows:

CHAPTER 1904. WATER TREATMENT SPECIALISTS

SUBCHAPTER A. GENERAL PROVISIONS [~~G. CERTIFICATION OF WATER TREATMENT SPECIALISTS~~]

Sec. 1904.001 [~~341.101~~]. DEFINITIONS. In this chapter [~~subchapter~~]:

(1) "Commission" means the Texas Natural Resource Conservation Commission.

(2) "Installation of water treatment appliances" includes connecting the appliances to all necessary utility connections in residential, commercial, or industrial facilities.

(3) "Water treatment" means a business conducted under contract that requires experience in the analysis of water, including the ability to determine how to treat influent and effluent water, to alter or purify water, and to add or remove a mineral, chemical, or bacterial content or substance. The term also includes the installation and service of potable water treatment equipment in public or private water systems and making

connections necessary to complete installation of a water treatment system.

(4) "Water treatment equipment" includes appliances used to alter or purify water or to alter a mineral, chemical, or bacterial content or substance.

[Sections 1904.002-1904.050 reserved for expansion]

SUBCHAPTER B. CERTIFICATION REQUIREMENTS

Sec. 1904.051 [~~341.102~~]. WATER TREATMENT SPECIALIST CERTIFICATION PROGRAM. (a) The commission by rule shall establish a program to certify persons qualified to install, exchange, service, and repair residential, commercial, or industrial water treatment equipment and appliances.

(b) The rules must establish:

(1) standards for certification to ensure the public health and to protect the public from unqualified persons engaging in activities relating to water treatment;

(2) classes of certification;

(3) duration of certification; and

(4) reasonable annual certification fees in an amount sufficient to pay the administrative costs of the certification program, but not to exceed \$150 a year for any class of certification.

Sec. 1904.052 [~~341.103~~]. CERTIFICATION REQUIRED. A person may not engage in water treatment unless the person first obtains a certificate from the commission under the program established under this chapter [~~subchapter~~].

Sec. 1904.053 [~~341.104~~]. APPLICATION FOR CERTIFICATION. A

1 person desiring to obtain certification under the program
2 established under this chapter [~~subchapter~~] shall file with the
3 commission:

4 (1) an application in the form prescribed by the
5 commission and containing the information required by the
6 commission; and

7 (2) the appropriate certification fee.

8 Sec. 1904.054 [~~341.105~~]. ISSUANCE OF CERTIFICATE. (a) On
9 receipt of an application that meets commission requirements and
10 the required fee, the commission shall issue to a person who meets
11 commission standards for certification a certificate stating that
12 the person is qualified to install, exchange, service, and repair
13 residential, commercial, or industrial water treatment facilities.

14 (b) All fees received by the commission under this section
15 shall be deposited in the State Treasury to the credit of the
16 General Revenue Fund.

17 Sec. 1904.055. EXEMPTIONS. (a) [~~(c)~~] A person who holds a
18 license under Chapter 1301[~~, Occupations Code,~~] is exempt from the
19 requirements of this chapter [~~subchapter~~].

20 (b) [~~(d)~~] This chapter [~~subchapter~~] does not apply to an
21 employee of an industrial facility installing or servicing water
22 treatment equipment.

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