

SENATE AMENDMENTS

2nd Printing

By: Flores

H.B. No. 463

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.

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

SECTION 1. Section 1302.002, Occupations Code, is amended by adding Subdivisions (5-a), (5-b), and (17) to read as follows:

(5-a) "Air conditioning and refrigeration technician" means a person who assists a licensed air conditioning and refrigeration contractor in performing air conditioning and refrigeration maintenance work.

(5-b) "Certified technician" means a registered technician who has completed a certification examination.

(17) "Registered technician" means an air conditioning and refrigeration technician who is registered with the department.

SECTION 2. Section 1302.101, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) The department may examine any criminal conviction, guilty plea, or deferred adjudication of an applicant for issuance or renewal of a license, including by obtaining any criminal history record information permitted by law.

SECTION 3. Section 1302.263, Occupations Code, is amended to read as follows:

Sec. 1302.263. LIMITATION ON LICENSE HOLDER OR REGISTERED

1 TECHNICIAN. A person licensed under this chapter may not:

2 (1) perform or offer or attempt to perform an act,
3 service, or function that is:

4 (A) [~~(1)~~] defined as the practice of engineering
5 under Chapter 1001, unless the person holds a license under that
6 chapter;

7 (B) [~~(2)~~] regulated under Chapter 113, Natural
8 Resources Code, unless the person holds a license or is exempt by
9 rule under that chapter; or

10 (C) [~~(3)~~] defined as plumbing under Chapter
11 1301, unless the person holds a license under that chapter; or

12 (2) use the services of a person who is not a
13 registered technician or a licensed air conditioning and
14 refrigeration contractor to assist in the performance of air
15 conditioning and refrigeration maintenance work.

16 SECTION 4. Section 1302.401(a), Occupations Code, is
17 amended to read as follows:

18 (a) A person is subject to the denial of an application,
19 imposition of an administrative penalty under Subchapter F, Chapter
20 51, or disciplinary action under Section 51.353 if the person:

21 (1) violates this chapter or a rule adopted under this
22 chapter; or

23 (2) violates [~~is convicted of an offense under~~] a
24 municipal ordinance adopted under Section 1302.303.

25 SECTION 5. Section 1302.402, Occupations Code, is amended
26 to read as follows:

27 Sec. 1302.402. ADMINISTRATIVE PROCEDURES. A proceeding for

1 the denial of a license or registration application or disciplinary
2 action and an appeal from that proceeding are governed by Chapter
3 2001, Government Code.

4 SECTION 6. Chapter 1302, Occupations Code, is amended by
5 adding Subchapter K to read as follows:

6 SUBCHAPTER K. AIR CONDITIONING AND REFRIGERATION TECHNICIANS

7 Sec. 1302.501. REGISTRATION REQUIRED. (a) A person may not
8 act or offer to act as an air conditioning and refrigeration
9 technician unless the person is registered under this subchapter.

10 (b) A registration is valid throughout the state.

11 Sec. 1302.502. RULES. The executive director shall adopt
12 rules:

13 (1) providing for the registration of technicians as
14 prescribed by this subchapter; and

15 (2) establishing fees for issuance and renewal of a
16 registration.

17 Sec. 1302.503. SUPERVISION REQUIREMENTS FOR REGISTRANTS.
18 An air conditioning and refrigeration technician must be supervised
19 by an air conditioning and refrigeration contractor licensed under
20 this chapter.

21 Sec. 1302.504. APPLICATION; FEE. (a) An applicant for
22 registration must submit an application on a form prescribed by the
23 commission.

24 (b) The completed application must be accompanied by the
25 application fee.

26 Sec. 1302.505. ISSUANCE AND TERM OF REGISTRATION. (a) On
27 receipt of a completed application, the department shall register

1 an applicant who meets the requirements of this subchapter.

2 (b) A registration is valid for one year from the date of
3 issuance.

4 Sec. 1302.506. TEMPORARY REGISTRATION. (a) An applicant
5 for registration may request a temporary registration. The
6 executive director shall issue a temporary registration that
7 expires on the 21st day after the date of issuance to an applicant
8 who meets the qualifications for temporary registration.

9 (b) The commission shall adopt rules providing for the
10 issuance of a temporary registration under this section, including
11 the qualifications and fee required for the registration.

12 Sec. 1302.507. RENEWAL OF REGISTRATION. To renew a
13 registration, a registered technician must:

14 (1) submit a renewal request on a form prescribed by
15 the executive director; and

16 (2) pay the required renewal fee.

17 Sec. 1302.508. CERTIFIED TECHNICIAN. A registered
18 technician may be certified by the department and use the
19 designation "certified technician" if the registered technician:

20 (1) completes an application for certification on a
21 form prescribed by the executive director;

22 (2) pays the application fee; and

23 (3) provides the department with proof that the
24 registered technician successfully completed a nationally
25 recognized and administered certification examination or another
26 examination of equal or greater difficulty approved by the
27 department.

1 SECTION 7. Not later than December 31, 2007, the Texas
2 Commission of Licensing and Regulation shall adopt rules
3 implementing Subchapter K, Chapter 1302, Occupations Code, as added
4 by this Act.

5 SECTION 8. (a) Except as provided by Subsection (b) of this
6 section, this Act takes effect September 1, 2007.

7 (b) Sections 1302.501 and 1302.503, Occupations Code, as
8 added by this Act, take effect June 30, 2008.

ADOPTED

MAY 17 2007

Rotary Spaul
Secretary of the Senate

By: Flores/Carona

H.B. No. 463

Substitute the following for H.B. No. 463:

By: Chris Harris

C.S. H.B. No. 463

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.

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

SECTION 1. Section 1302.002, Occupations Code, is amended by adding Subdivisions (5-a), (5-b), and (17) to read as follows:

(5-a) "Air conditioning and refrigeration technician" means a person who assists a licensed air conditioning and refrigeration contractor in performing air conditioning and refrigeration maintenance work.

(5-b) "Certified technician" means a registered technician who has completed a certification examination.

(17) "Registered technician" means an air conditioning and refrigeration technician who is registered with the department.

SECTION 2. Section 1302.062, Occupations Code, is amended to read as follows:

Sec. 1302.062. NO LICENSE REQUIRED FOR CERTAIN ASSISTANTS. (a) A person is not required to hold a license if the person assists in air conditioning and refrigeration contracting under the supervision of a license holder.

(b) The exemption under this section does not apply to a person who assists a licensed air conditioning and refrigeration contractor in performing air conditioning and refrigeration

C
1

1 maintenance work.

2 SECTION 3. Section 1302.101, Occupations Code, is amended
3 by adding Subsection (e) to read as follows:

4 (e) The department may examine any criminal conviction,
5 guilty plea, or deferred adjudication of an applicant for issuance
6 or renewal of a license, including by obtaining any criminal
7 history record information permitted by law.

8 SECTION 4. Section 1302.263, Occupations Code, is amended
9 to read as follows:

10 Sec. 1302.263. LIMITATION ON LICENSE HOLDER OR REGISTERED
11 TECHNICIAN. A person licensed under this chapter may not:

12 (1) perform or offer or attempt to perform an act,
13 service, or function that is:

14 (A) [~~1~~] defined as the practice of engineering
15 under Chapter 1001, unless the person holds a license under that
16 chapter;

17 (B) [~~2~~] regulated under Chapter 113, Natural
18 Resources Code, unless the person holds a license or is exempt by
19 rule under that chapter; or

20 (C) [~~3~~] defined as plumbing under Chapter
21 1301, unless the person holds a license under that chapter; or

22 (2) use the services of a person who is not a
23 registered technician or a licensed air conditioning and
24 refrigeration contractor to assist in the performance of air
25 conditioning and refrigeration maintenance work.

26 SECTION 5. Section 1302.401(a), Occupations Code, is
27 amended to read as follows:

1 (a) A person is subject to the denial of an application,
2 imposition of an administrative penalty under Subchapter F, Chapter
3 51, or disciplinary action under Section 51.353 if the person:

4 (1) violates this chapter or a rule adopted under this
5 chapter; or

6 (2) violates [~~is convicted of an offense under~~] a
7 municipal ordinance adopted under Section 1302.303.

8 SECTION 6. Section 1302.402, Occupations Code, is amended
9 to read as follows:

10 Sec. 1302.402. ADMINISTRATIVE PROCEDURES. A proceeding for
11 the denial of a license or registration application or disciplinary
12 action and an appeal from that proceeding are governed by Chapter
13 2001, Government Code.

14 SECTION 7. Chapter 1302, Occupations Code, is amended by
15 adding Subchapter K to read as follows:

16 SUBCHAPTER K. AIR CONDITIONING AND REFRIGERATION TECHNICIANS

17 Sec. 1302.501. REGISTRATION REQUIRED. (a) A person may not
18 act or offer to act as an air conditioning and refrigeration
19 technician unless the person is registered under this subchapter.

20 (b) A registration is valid throughout the state.

21 Sec. 1302.502. RULES. The commission shall adopt rules:

22 (1) providing for the registration of technicians as
23 prescribed by this subchapter; and

24 (2) establishing fees for issuance and renewal of a
25 registration.

26 Sec. 1302.503. SUPERVISION REQUIREMENTS FOR REGISTRANTS.

27 An air conditioning and refrigeration technician must be supervised

1 by an air conditioning and refrigeration contractor licensed under
2 this chapter.

3 Sec. 1302.504. APPLICATION; FEE. (a) An applicant for
4 registration must submit an application on a form prescribed by the
5 commission.

6 (b) The completed application must be accompanied by the
7 application fee.

8 Sec. 1302.505. ISSUANCE AND TERM OF REGISTRATION. (a) On
9 receipt of a completed application, the department shall register
10 an applicant who meets the requirements of this subchapter.

11 (b) A registration is valid for one year from the date of
12 issuance.

13 Sec. 1302.506. TEMPORARY REGISTRATION. (a) An applicant
14 for registration may request a temporary registration. The
15 executive director shall issue a temporary registration that
16 expires on the 10th day after the date of issuance to an applicant
17 who meets the qualifications for temporary registration.

18 (b) The commission shall adopt rules providing for the
19 issuance of a temporary registration under this section, including
20 the qualifications and fee required for the registration.

21 Sec. 1302.507. RENEWAL OF REGISTRATION. To renew a
22 registration, a registered technician must:

23 (1) submit a renewal request on a form prescribed by
24 the executive director; and

25 (2) pay the required renewal fee.

26 Sec. 1302.508. CERTIFIED TECHNICIAN. A registered
27 technician may be certified by the department and use the

1 designation "certified technician" if the registered technician:

2 (1) completes an application for certification on a
3 form prescribed by the executive director;

4 (2) pays the application fee; and

5 (3) provides the department with proof that the
6 registered technician successfully completed a nationally
7 recognized and administered certification examination or another
8 examination of equal or greater difficulty approved by the
9 department.

10 SECTION 8. Not later than December 31, 2007, the Texas
11 Commission of Licensing and Regulation shall adopt rules
12 implementing Subchapter K, Chapter 1302, Occupations Code, as added
13 by this Act.

14 SECTION 9. (a) Except as provided by Subsection (b) of this
15 section, this Act takes effect September 1, 2007.

16 (b) Section 1302.062, Occupations Code, as amended by this
17 Act, and Sections 1302.501 and 1302.503, Occupations Code, as added
18 by this Act, take effect June 30, 2008.

ADOPTED

MAY 17 2007

Letae Spaulding
Secretary of the Senate

FLOOR AMENDMENT NO. 1

1 Amend C.S.H.B. No. 463 (senate committee report) as follows:

2 (1) Strike SECTION 2 of the bill (page 1, lines 24 through
3 33) and renumber remaining SECTIONS accordingly.

4 (2) In SECTION 7 of the bill, in added Section 1302.502,
5 Occupations Code (page 2, line 17), strike "commission" and
6 substitute "executive director".

7 (3) In SECTION 7 of the bill, in added Subsection (a),
8 Section 1302.506, Occupations Code (page 2, line 39), strike "10th"
9 and substitute "21st".

10 (4) In Subsection (b), SECTION 9, of the bill (page 2, lines
11 66 and 67), strike "Section 1302.062, Occupations Code, as amended
12 by this Act, and".

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB463** by Flores (Relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB463, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2008 | \$0 |
| 2009 | \$0 |
| 2010 | \$0 |
| 2011 | \$0 |
| 2012 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from GENERAL REVENUE FUND 1 | Probable Revenue Gain from GENERAL REVENUE FUND 1 | Change in Number of State Employees from FY 2007 |
|-------------|--|---|---|
| 2008 | (\$755,576) | \$755,576 | 12.0 |
| 2009 | (\$683,310) | \$683,310 | 12.0 |
| 2010 | (\$683,865) | \$683,865 | 12.0 |
| 2011 | (\$684,188) | \$684,188 | 12.0 |
| 2012 | (\$684,070) | \$684,070 | 12.0 |

Fiscal Analysis

The bill would amend the Occupations Code to provide the Department of Licensing and Regulation (TDLR) the authority to register air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians and would allow TDLR the authority to provide temporary registrations. The bill would allow TDLR to impose an administrative penalty for certain violations.

The provisions of the bill require an application fee for a new and renewal air conditioning and refrigeration technician registration.

Other than the following sections, the bill takes effect September 1, 2007. Sections 1302.062,

1302.501 and 1302.503, Occupations Code, take effect June 30, 2008.

Methodology

Based on information provided by the Department of Licensing and Regulation (TDLR), this analysis assumes that 34,920 air conditioning and refrigeration technicians would choose to register with TDLR and an additional 1,080 would choose to be registered as certified air conditioning and refrigeration technicians.

It is estimated that TDLR would have a cost associated with registering air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians. Based on the analysis of TDLR, it is assumed that registering these technicians and regulating this industry would necessitate additional resources at a cost of \$1,438,886 through 2009.

TDLR also estimates costs for staff of \$390,540 for 12.0 FTEs in FY08 through FY12. Other operating expenses, travel, equipment, rent - building, and consumable supplies are estimated at \$254,552 in FY08, \$182,286 in FY09, \$182,841 in FY10, \$183,164 in FY11, and \$183,046 in FY12. Estimated costs also include \$110,484 in FY08 through FY12 for associated benefits.

This analysis assumes that any increased costs resulting from this bill would be offset by an increase in fee generated revenue.

Technology

There would be a technology cost to the Department of Licensing and Regulation of \$30,966 in fiscal year 2008, \$1,900 in fiscal year 2009, \$2,455 in fiscal year 2010, \$2,778 in fiscal year 2011, and \$2,660 in fiscal year 2012.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, CL, JRO, MW, AH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 19, 2007

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB463 by Flores (Relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.), As Engrossed

Estimated Two-year Net Impact to General Revenue Related Funds for HB463, As Engrossed: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2008 | \$0 |
| 2009 | \$0 |
| 2010 | \$0 |
| 2011 | \$0 |
| 2012 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from GENERAL REVENUE FUND 1 | Probable Revenue Gain from GENERAL REVENUE FUND 1 | Change in Number of State Employees from FY 2007 |
|-------------|---|---|--|
| 2008 | (\$755,576) | \$755,576 | 12.0 |
| 2009 | (\$683,310) | \$683,310 | 12.0 |
| 2010 | (\$683,865) | \$683,865 | 12.0 |
| 2011 | (\$684,188) | \$684,188 | 12.0 |
| 2012 | (\$684,070) | \$684,070 | 12.0 |

Fiscal Analysis

The bill would amend the Occupations Code to provide the Department of Licensing and Regulation (TDLR) the authority to register air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians and would allow TDLR the authority to provide temporary registrations. The bill would allow TDLR to impose an administrative penalty for certain violations.

The provisions of the bill require an application fee for a new and renewal air conditioning and refrigeration technician registration.

Other than the following sections, the bill takes effect September 1, 2007. Sections 1302.501 and

1302.503, Occupations Code, take effect June 30, 2008.

Methodology

Based on information provided by the Department of Licensing and Regulation (TDLR), this analysis assumes that 34,920 air conditioning and refrigeration technicians would choose to register with TDLR and an additional 1,080 would choose to be registered as certified air conditioning and refrigeration technicians.

It is estimated that TDLR would have a cost associated with registering air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians. Based on the analysis of TDLR, it is assumed that registering these technicians and regulating this industry would necessitate additional resources at a cost of \$1,438,886 through 2009.

TDLR also estimates costs for staff of \$390,540 for 12.0 FTEs in FY08 through FY12. Other operating expenses, travel, equipment, rent - building, and consumable supplies are estimated at \$254,552 in FY08, \$182,286 in FY09, \$182,841 in FY10, \$183,164 in FY11, and \$183,046 in FY12. Estimated costs also include \$110,484 in FY08 through FY12 for associated benefits.

This analysis assumes that any increased costs resulting from this bill would be offset by an increase in fee generated revenue.

Technology

There would be a technology cost to the Department of Licensing and Regulation of \$30,966 in fiscal year 2008, \$1,900 in fiscal year 2009, \$2,455 in fiscal year 2010, \$2,778 in fiscal year 2011, and \$2,660 in fiscal year 2012.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, CL, JRO, MW, AH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 23, 2007

TO: Honorable Kino Flores, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB463 by Flores (relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB463, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2008 | \$0 |
| 2009 | \$0 |
| 2010 | \$0 |
| 2011 | \$0 |
| 2012 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1 | Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1 | Change in Number of State Employees from FY 2007 |
|-------------|--|---|---|
| 2008 | (\$755,576) | \$755,576 | 12.0 |
| 2009 | (\$683,310) | \$683,310 | 12.0 |
| 2010 | (\$683,865) | \$683,865 | 12.0 |
| 2011 | (\$684,188) | \$684,188 | 12.0 |
| 2012 | (\$684,070) | \$684,070 | 12.0 |

Fiscal Analysis

The bill would amend the Occupations Code to provide the Department of Licensing and Regulation (TDLR) the authority to register air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians and would allow TDLR the authority to provide temporary registrations. The bill would allow TDLR to impose an administrative penalty for certain violations.

The provisions of the bill require an application fee for a new and renewal air conditioning and refrigeration technician registration.

Other than the following sections, the bill takes effect September 1, 2007. Sections 1302.501 and

1302.503, Occupations Code, take effect June 30, 2008.

Methodology

Based on information provided by the Department of Licensing and Regulation (TDLR), this analysis assumes that 34,920 air conditioning and refrigeration technicians would choose to register with TDLR and an additional 1,080 would choose to be registered as certified air conditioning and refrigeration technicians.

It is estimated that TDLR would have a cost associated with registering air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians. Based on the analysis of TDLR, it is assumed that registering these technicians and regulating this industry would necessitate additional resources at a cost of \$1,438,886 through 2009.

TDLR also estimates costs for staff of \$390,540 for 12.0 FTEs in FY08 through FY12. Other operating expenses, travel, equipment, rent - building, and consumable supplies are estimated at \$254,552 in FY08, \$182,286 in FY09, \$182,841 in FY10, \$183,164 in FY11, and \$183,046 in FY12. Estimated costs also include \$110,484 in FY08 through FY12 for associated benefits.

This analysis assumes that any increased costs resulting from this bill would be offset by an increase in fee generated revenue.

Technology

There would be a technology cost to the Department of Licensing and Regulation of \$30,966 in fiscal year 2008, \$1,900 in fiscal year 2009, \$2,455 in fiscal year 2010, \$2,778 in fiscal year 2011, and \$2,660 in fiscal year 2012.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, JRO, MW, AH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 19, 2007

TO: Honorable Kino Flores, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB463 by Flores (Relating to the regulation of air conditioning and refrigeration contracting; providing an administrative penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB463, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2008 | \$0 |
| 2009 | \$0 |
| 2010 | \$0 |
| 2011 | \$0 |
| 2012 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from GENERAL REVENUE FUND 1 | Probable Revenue Gain from GENERAL REVENUE FUND 1 | Change in Number of State Employees from FY 2007 |
|-------------|--|---|---|
| 2008 | (\$755,576) | \$755,576 | 12.0 |
| 2009 | (\$683,310) | \$683,310 | 12.0 |
| 2010 | (\$683,865) | \$683,865 | 12.0 |
| 2011 | (\$684,188) | \$684,188 | 12.0 |
| 2012 | (\$684,070) | \$684,070 | 12.0 |

Fiscal Analysis

The bill would amend the Occupations Code to provide the Department of Licensing and Regulation (TDLR) the authority to register air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians and would allow TDLR the authority to provide temporary registrations. The bill would allow TDLR to impose an administrative penalty for certain violations.

The provisions of the bill require an application fee for a new and renewal air conditioning and refrigeration technician registration.

Other than the following sections, the bill takes effect September 1, 2007. Sections 1302.501 and

1302.503, Occupations Code, take effect June 30, 2008.

Methodology

Based on information provided by the Department of Licensing and Regulation (TDLR), this analysis assumes that 34,920 air conditioning and refrigeration technicians would choose to register with TDLR and an additional 1,080 would choose to be registered as certified air conditioning and refrigeration technicians.

It is estimated that TDLR would have a cost associated with registering air conditioning and refrigeration technicians and certified air conditioning and refrigeration technicians. Based on the analysis of TDLR, it is assumed that registering these technicians and regulating this industry would necessitate additional resources at a cost of \$1,438,886 through 2009.

TDLR also estimates costs for staff of \$390,540 for 12.0 FTEs in FY08 through FY12. Other operating expenses, travel, equipment, rent - building, and consumable supplies are estimated at \$254,552 in FY08, \$182,286 in FY09, \$182,841 in FY10, \$183,164 in FY11, and \$183,046 in FY12. Estimated costs also include \$110,484 in FY08 through FY12 for associated benefits.

This analysis assumes that any increased costs resulting from this bill would be offset by an increase in fee generated revenue.

Technology

There would be a technology cost to the Department of Licensing and Regulation of \$30,966 in fiscal year 2008, \$1,900 in fiscal year 2009, \$2,455 in fiscal year 2010, \$2,778 in fiscal year 2011, and \$2,660 in fiscal year 2012.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, JRO, MW, AH

