

BILL ANALYSIS

H.B. 2600
By: Thompson
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, commercial sheet metal workers in Texas are not licensed. Quality commercial sheet metal work is essential to the effective operation of fire protection systems and to the creation and preservation of healthy indoor air, among other important functions.

H.B. 2600 requires individuals who perform commercial sheet metal work in Texas to hold a sheet metal license ensuring that an individual engaged in the trade of commercial sheet metal work has the skills, training, and expertise necessary to ensure that Texans receive safe, reliable, and quality workmanship.

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

H.B. 2600 amends the Occupations Code to prohibit a person licensed under the Air Conditioning and Refrigeration Contractor License Law from using the services of another person to perform commercial sheet metal work unless the person performing the work holds a license to perform sheet metal work.

H.B. 2600 creates a journeyman sheet metal license and an apprentice sheet metal license and prohibits a person from performing commercial sheet metal work in Texas unless the person holds an appropriate license. The bill provides that the license requirement does not apply to a Class A or Class B air conditioning and refrigeration contractor license holder. The bill sets forth application requirements for a license for sheet metal work and authorizes the Texas Department of Licensing and Regulation (TDLR) to consider any criminal conviction, guilty plea, or deferred adjudication of an applicant or a person renewing a license and to obtain any criminal history record information permitted by law.

H.B. 2600 requires an applicant for a journeyman sheet metal license to certify to the executive director of TDLR that the applicant has been employed at least 8,000 hours in the performance of commercial sheet work while registered in a training program administered by the Bureau of Apprenticeship and Training, United States Department of Labor, or any other training program recognized by TDLR, or while receiving on-the-job training under the supervision of a licensed air conditioning and refrigeration contractor; pass a journeyman sheet metal license examination; and pay the required application and examination fee. The bill requires an applicant for an apprentice sheet metal license to be engaged in the process of learning and assisting in commercial sheet metal work while registered in a training program administered by the Bureau of Apprenticeship and Training, United States Department of Labor, or any other training program recognized by TDLR, or while receiving on-the-job training under the supervision of a licensed air conditioning and refrigeration contractor; and to pay the required application fee. The bill sets forth provisions for the development and administration of the journeyman sheet

metal examination and provides that the examination may require working knowledge of certain codes, standards, rules, and laws. The bill requires the executive director of TDLR to determine uniform standards for acceptable performance on the examination.

H.B. 2600 provides that each license is valid throughout the state, valid for one year from the date of issuance, and is renewable on the anniversary of the date of issuance on payment of the applicable renewal fee and satisfaction of any renewal requirements adopted by the Texas Commission of Licensing and Regulation. The bill requires a license holder to complete six hours of relevant continuing education to be eligible to renew a license. The bill requires the commission to adopt rules, procedures, and fees to implement these provisions not later than January 1, 2010, and specifies that a person is not required to hold a license to perform sheet metal work before September 1, 2010. The bill defines "commercial heating, ventilation, and air-conditioning system" and "commercial sheet metal work."

EFFECTIVE DATE

September 1, 2009.