

BILL ANALYSIS

Senate Research Center
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H.B. 3628
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 2008 hurricane that hit the Texas coast, followed by the severe economic downturn, has put many Texas businesses at risk. At the same time, building owners are facing a costly deadline in 2010 for retrofitting elevators with fire service additions due to a 1993 state mandate.

The American Society of Mechanical Engineers (ASME) Code A17.3 was adopted by the Texas Legislature in 1993. Chapter 754, Health and Safety Code, required most existing elevators that travel more than 25 feet to be retrofitted to comply with standards for fire service that was required for new elevators.

Exemptions were allowed for numerous buildings, including qualified historic buildings, and those that house labor unions, trade associations, private clubs, and charitable organizations that have two or fewer floors.

H.B. 3628 extends from September 1, 2010, to September 1, 2015, the date until which the executive director of the Texas Department of Licensing and Regulation is required to grant a delay for compliance with certain ASME requirements for elevators and escalators and provides for the expiration of the delay provision on October 1, 2015.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 754.014(f), Health and Safety Code, as follows:

(f) Requires the executive director of the Texas Department of Licensing and Regulation to grant a delay until September 1, 2015, rather than September 1, 2010, for compliance with the requirements for door restrictors or firefighter's service in the ASME Code A17.3 if those requirements were not included in the ASME Code A17.1 that was in effect on the date of installation and the equipment was not subsequently installed. Provides that this subsection expires October 1, 2015.

SECTION 2. Effective date: upon passage or September 1, 2009.