

BILL ANALYSIS

C.S.H.B. 3628

By: Jones

Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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.

C.S.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

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3628 amends the Health and Safety Code to extend 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 the requirements for elevator door restrictors or firefighter's service in the American Society of Mechanical Engineers Safety Code for Elevators and Escalators, if those requirements were not included in the code that was in effect on the date of installation and the equipment was not subsequently installed. The bill establishes an expiration date of October 1, 2015, for the delay provision as amended.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3628 differs from the original by adding an expiration date of October 1, 2015, applicable to the statutory provision relating to the required granting of a delay in specified circumstances.