

BILL ANALYSIS

H.B. 4323
By: Chisum
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law requires any person working with plumbing that carries potable water to be certified as a plumber with the Texas State Board of Plumbing Examiners. In recent years, owners of one- or two-family residences have begun installing sprinkler systems much like the ones in large multifamily residences and commercial buildings. In large residential and commercial buildings, sprinkler systems use a separate water line with nonpotable water, but in smaller residences the sprinkler system runs through the same line as potable water. The state has placed a priority on ensuring that only individuals who are licensed as trained plumbers be allowed to work on potable water pipes in order to protect the public water supply. Currently, these systems are installed by service people working with potable water who are not certified plumbers.

H.B. 4323 prohibits a person from engaging in the installation of a multipurpose residential fire protection sprinkler system that uses potable cold water to provide water for domestic plumbing fixtures and for fire protection sprinklers unless the person is licensed as a master plumber or journeyman plumber and holds the proper endorsement.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Plumbing Examiners in SECTIONS 3 and 4 of this bill.

ANALYSIS

H.B. 4323 amends the Occupations Code to prohibit a person from engaging in the installation of a multipurpose residential fire protection sprinkler system that uses potable cold water to provide water for domestic plumbing fixtures and for fire protection sprinklers unless the person is licensed as a master plumber or journeyman plumber and holds an endorsement as a multipurpose residential fire protection sprinkler specialist. The bill makes this prohibition effective March 1, 2010. The bill requires the Texas State Board of Plumbing Examiners to issue such an endorsement to a person who, in addition to holding one of the required licenses, applies to the board on a form prescribed by the board, pays a fee set by the board, presents satisfactory evidence of successful completion of a certification program approved by the board for a multipurpose residential fire protection sprinkler specialist, and passes an examination required by the board. The bill establishes that such an endorsement is valid until the third anniversary of the date of issuance and authorizes the endorsement to be renewed on compliance with any requirements prescribed by board rule.

H.B. 4323 authorizes a person who holds such an endorsement to represent to the public that the person is a multipurpose residential fire protection sprinkler specialist. The bill authorizes a plumbing inspector who meets the requirements of the board to inspect a multipurpose residential fire protection sprinkler installation. The bill includes multipurpose residential fire protection sprinkler specialists in a provision relating to an examination requirement for licenses and endorsements issued by the board. The bill defines "multipurpose residential fire protection sprinkler specialist."

H.B. 4323 requires the board to adopt rules necessary to implement these provisions not later than November 1, 2009, and to begin administering examinations and issuing multipurpose residential fire protection sprinkler specialist endorsements not later than December 1, 2009.

EFFECTIVE DATE

Except as otherwise provided, September 1, 2009.