

## **BILL ANALYSIS**

S.B. 1982  
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Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current Texas law prohibits a person without a license from performing electrical related services. In 2008, the Texas Department of Licensing and Regulation notified pool industry representatives that pool-related electrical maintenance work in Texas must be addressed in legislation.

S.B. 1982 specifies that the Texas Electrical Safety and Licensing Act does not apply to certain pool-related electrical work performed by an employee of a municipality on a pool owned or operated by the municipality. The bill also requires the Texas Department of Licensing and Regulation to accept, develop, or contract for a residential appliance installer examination that tests the knowledge of an applicant for an electrician's license relating to the materials and methods used in the installation of residential appliances and pool-related devices.

### **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**

S.B. 1982 reenacts and amends Section 1305.003(a), Occupations Code, as amended by Chapters 418 (S.B. 1222) and 649 (H.B. 1029), Acts of the 80th Legislature, Regular Session, 2007, to provide that the Texas Electrical Safety and Licensing Act (TESLA) does not apply to the maintenance, alteration, or repair of a pool-related electrical device by, or pool-related electrical maintenance performed by, an employee of a municipality on a pool owned or operated by the municipality. The bill amends the Occupations Code, effective March 1, 2010, to include a pool-related electrical device in the definition of "residential appliance" and to make conforming changes to relevant definitions and defines the terms "pool," "pool-related electrical device," and "pool-related electrical maintenance."

S.B. 1982 requires the Texas Department of Licensing and Regulation to accept, develop, or contract for a residential appliance installer examination that tests the knowledge of an applicant for an electrician's license relating to the materials and methods used in the installation of residential appliances and pool-related devices under provisions regulating electricians and the National Electrical Code standards as adopted by the department's executive director.

S.B. 1982 requires the Texas Commission of Licensing and Regulation, not later than January 1, 2010, to adopt any rules necessary to implement the changes in law made by this bill.

S.B. 1982 makes its provisions applicable to a person who performs pool-related electrical maintenance, as defined by provisions of the Occupations Code, as amended by this bill, or residential appliance installation that consists only of the connection or disconnection of a pool-related electrical device, as defined by provisions of the Occupations Code, as amended by this bill, on or after March 1, 2010.

**EFFECTIVE DATE**

Except as otherwise provided, September 1, 2009.