

By: Smith of Harris

H.B. No. 2649

Substitute the following for H.B. No. 2649:

By: Thompson

C.S.H.B. No. 2649

A BILL TO BE ENTITLED

AN ACT

relating to the regulation and practice of engineering.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1001.056, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) The exemption provided by this section does not apply to a person or entity that is:

(1) providing services necessary to comply with windstorm certification standards for a residential dwelling; or

(2) constructing, enlarging, altering, or repairing, or drawing plans or specifications for, a residential dwelling slab located on soil with a plasticity index of greater than 30, determined in accordance with ASTM International standard D4318-05 (Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils) as that standard was in effect on January 1, 2009.

SECTION 2. Subchapter B, Chapter 1001, Occupations Code, is amended by adding Section 1001.067 to read as follows:

Sec. 1001.067. CERTAIN FIRE DEPARTMENT EMPLOYEES. This chapter does not prohibit the professional use of the term "fire engineer" by a member of a fire department in a municipality with a population of one million or more that has adopted Chapter 143, Local Government Code, and to which Subchapter G of that chapter does not generally apply, who:

1           (1) holds the position of fire apparatus operator; and  
2           (2) is not otherwise engaged in the practice of  
3 engineering.

4           SECTION 3. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2009.