

By: Hamilton

H.B. No. 3849

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of limited solar electric installers and limited solar electric contractors.

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

SECTION 1. Section 1305.002, Occupations Code, is amended by adding Subdivisions (11-a), (11-b), and (11-c) to read as follows:

(11-a) "Limited solar electric contractor" means a business entity, other than an electrical contractor or electrical sign contractor, that is engaged in the business of limited solar electrical work.

(11-b) "Limited solar electric installer" means a person, other than a licensed electrician, who is licensed to perform limited solar electrical work.

(11-c) "Limited solar electrical work" means electrical work described by Section 1305.1607.

SECTION 2. Section 1305.102(a), Occupations Code, is amended to read as follows:

(a) The executive director shall adopt rules for the licensing of electricians, sign electricians, electrical sign contractors, electrical contractors, residential appliance installers, ~~and~~ residential appliance installation contractors, limited solar electric contractors, and limited solar electric installers as prescribed by this chapter.

SECTION 3. Section 1305.151, Occupations Code, is amended to read as follows:

Sec. 1305.151. LICENSE REQUIRED. Except as provided by Section 1305.003, a person or business may not perform or offer to perform electrical work, ~~[or]~~ residential appliance installation, or limited solar electrical work unless the person or business holds an appropriate license issued or recognized under this chapter.

SECTION 4. Subchapter D, Chapter 1305, Occupations Code, is amended by adding Sections 1305.1605, 1305.1606, and 1305.1607 to read as follows:

Sec. 1305.1605. LIMITED SOLAR ELECTRIC INSTALLER. (a) An applicant for a license as a limited solar electric installer must pass a limited solar electric installer examination administered under this chapter.

(b) A person is eligible to take the limited solar electric installer examination if the person:

(1) has at least four years of experience installing photovoltaic systems;

(2) has at least two years of experience installing photovoltaic systems and has completed a solar electric training program approved by the executive director;

(3) holds a license in good standing as an electrical contractor and has at least one year of experience installing photovoltaic systems;

(4) has at least four years of electrical construction experience working for an electrical contractor, including at least

one year of experience installing photovoltaic systems;

(5) has at least three years of experience in an electrical construction apprenticeship program approved by the United States Department of Labor, including at least one year of experience installing photovoltaic systems;

(6) holds a two-year degree in electrical construction, electrical engineering technology, or renewable energy technology issued by an institution of higher education and has at least one year of experience installing photovoltaic systems; or

(7) holds a four-year degree in construction or engineering issued by an institution of higher education and has at least one year of experience installing photovoltaic systems.

(c) In developing the limited solar electric installer examination, the department shall consult with persons knowledgeable about the solar electric industry. The department may accept the results of an examination administered by the North American Board of Certified Energy Practitioners for all or part of the examination requirements under this section.

(d) The limited solar electric installer examination must include:

(1) site analysis;

(2) system wiring;

(3) system grounding;

(4) mechanical integration;

(5) utility interconnection;

(6) electrical safety; and

1 (7) wire and conduit sizing.

2 Sec. 1305.1606. LIMITED SOLAR ELECTRIC CONTRACTOR. An
3 applicant for a license as a limited solar electric contractor
4 must:

5 (1) be licensed under this chapter as a limited solar
6 electric installer or employ a person licensed under this chapter
7 as a limited solar electric installer;

8 (2) establish proof of financial responsibility in the
9 manner prescribed by the executive director; and

10 (3) maintain workers' compensation coverage for the
11 contractor's employees through an insurance company authorized to
12 engage in the business of insurance in this state or through
13 self-insurance, or elect not to obtain workers' compensation
14 coverage, as provided by Subchapter A, Chapter 406, Labor Code.

15 Sec. 1305.1607. LIMITED SOLAR ELECTRICAL WORK. (a) Limited
16 solar electrical work is limited to electrical work on a
17 photovoltaic system with an alternating current inverter output
18 power rating of 100 kilowatts or less. A limited solar electric
19 installer or limited solar electric contractor may work on a
20 photovoltaic system with an inverter output power rating greater
21 than 100 kilowatts if the installer or contractor is working as a
22 subcontractor of an electrical contractor.

23 (b) Except as provided by Subsections (c) and (d), limited
24 solar electrical work is limited to direct current circuits between
25 a photovoltaic array and an inverter input. Electrical work on the
26 alternating current output of an inverter, including system
27 interconnection, must be performed by a person who holds an

1 appropriate license issued under this chapter.

2 (c) A limited solar electric installer or limited solar
3 electric contractor may install Underwriters Laboratories-listed
4 alternating current modules on a roof, but the home run to the array
5 must be installed by a person who holds an appropriate license
6 issued under this chapter.

7 (d) A limited solar electric installer or limited solar
8 electric contractor may install and wire in parallel Underwriters
9 Laboratories-listed micro inverters on a roof, but the home run to
10 the array must be installed by a person who holds an appropriate
11 license issued under this chapter.

12 SECTION 5. Section 1305.166(a), Occupations Code, is
13 amended to read as follows:

14 (a) An electrical contractor, electrical sign contractor,
15 ~~[and]~~ residential appliance installation contractor, and limited
16 solar electric contractor shall display the contractor's business
17 name and the number of the license issued by the executive director
18 on each vehicle owned by the contractor.

19 SECTION 6. Section 1305.168, Occupations Code, is amended
20 by adding Subsection (d) to read as follows:

21 (d) The executive director shall approve a continuing
22 education course focused primarily on photovoltaic systems if the
23 course meets the other requirements for approval under this
24 section.

25 SECTION 7. Section 1305.201(a), Occupations Code, is
26 amended to read as follows:

27 (a) This chapter does not prohibit a municipality or region

1 from regulating electricians, ~~[or]~~ residential appliance
2 installers, or limited solar electric installers by:

- 3 (1) enacting an ordinance requiring inspections;
- 4 (2) offering examinations;
- 5 (3) issuing municipal or regional licenses; or
- 6 (4) collecting permit fees for municipal or regional
7 licenses and examinations from electricians, ~~[and]~~ appliance
8 installers, and limited solar electric installers for work
9 performed in the municipality or region.

10 SECTION 8. The Texas Department of Licensing and Regulation
11 shall issue a limited solar electric installer license without
12 examination to a qualified applicant under this section who:

- 13 (1) applies for a license under this section not later
14 than June 1, 2010;
- 15 (2) submits to the department information required by
16 any rules adopted under this section;
- 17 (3) holds a certification as a photovoltaic installer
18 issued by the North American Board of Certified Energy
19 Practitioners; and
- 20 (4) pays the application fee.

21 SECTION 9. (a) Except as provided by Subsection (b) of this
22 section, this Act takes effect September 1, 2009.

23 (b) Section 1305.151, Occupations Code, as amended by this
24 Act, takes effect September 20, 2010.