

House Bill 2649
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 inspection services necessary to comply with windstorm certification standards for a residential dwelling under Subchapter F, Chapter 2210, Insurance Code; or

(2) constructing, enlarging, altering, or repairing, or drawing plans or specifications for, a residential dwelling slab located on expansive soil that meets the expansive soil classification provisions of the International Residential Code as applied in the jurisdiction in which the residential dwelling is located, unless the construction, enlargement, alteration, repair, or drawing of plans or specifications meets the International Residential Code requirements as applied in the jurisdiction in which the residential dwelling is located.

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

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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 **engineering design or** inspection services necessary to comply with windstorm certification standards for a residential dwelling under Subchapter F, Chapter 2210, Insurance Code; or

(2) **providing engineering design relating to** constructing, enlarging, altering, or repairing, or drawing plans or specifications for, a residential dwelling slab located on expansive soil that meets the expansive soil classification provisions of the International Residential Code as applied in the jurisdiction in which the residential dwelling is located, unless the construction, enlargement, alteration, repair, or drawing of plans or specifications meets the International Residential Code requirements as applied in the jurisdiction in which the residential dwelling is located.

Same as House version.

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that chapter does not generally apply, who:

(1) holds the position of fire apparatus operator; and

(2) is not otherwise engaged in the practice of engineering.

No equivalent provision.

SECTION 3. Subchapter G, Chapter 1001, Occupations Code, is amended by adding Section 1001.3011 to read as follows:

Sec. 1001.3011. LIGHTING DESIGN; LICENSE OR REGISTRATION REQUIRED. (a) A person may not perform or offer to perform lighting design services unless the person is:

(1) licensed as an engineer under this chapter;

(2) registered as an architect, landscape architect, or interior designer under Subtitle B, Title 6; or

(3) licensed under Chapter 1305.

(b) In this section, "lighting design services" means the preparation of plans and specifications that depict the placement and direction of illumination of mounted or installed lighting fixtures in the interior or exterior of a building, including the specification of bulbs, reflectors, lens, louvers, baffles, and other hardware. The term does not include the preparation of shop drawings or other directions from a manufacturer for the installation or operation of lighting fixtures.

SECTION 3. Section 1001.401, Occupations Code, is amended by adding Subsection (e) to read as follows:

SECTION 4. Section 1001.401, Occupations Code, is amended by adding Subsection (e) to read as follows:

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(e) A license holder shall not be required to provide or hold any additional certification, other than a license issued under this chapter, to seal a plan, specification, plat, or report.

No equivalent provision.

No equivalent provision.

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(e) A license holder is not required to provide or hold any additional certification, other than a license issued under this chapter, to seal an engineering plan, specification, plat, or report.

SECTION 5. Subchapter F, Chapter 1051, Occupations Code, is amended by adding Section 1051.308 to read as follows:

Sec. 1051.308. LIGHTING DESIGN; REGISTRATION OR LICENSE REQUIRED. (a) A person may not perform or offer to perform lighting design services unless the person is:

- (1) registered as an architect, landscape architect, or interior designer under this subtitle;
- (2) licensed as an engineer under Chapter 1001; or
- (3) licensed under Chapter 1305.

(b) In this section, "lighting design services" means the preparation of plans and specifications that depict the placement and direction of illumination of mounted or installed lighting fixtures in the interior or exterior of a building, including the specification of bulbs, reflectors, lens, louvers, baffles, and other hardware. The term does not include the preparation of shop drawings or other directions from a manufacturer for the installation or operation of lighting fixtures.

SECTION 6. Subchapter D, Chapter 1305, Occupations Code, is amended by adding Section 1305.1511 to read

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as follows:

Sec. 1305.1511. LIGHTING DESIGN; LICENSE OR REGISTRATION REQUIRED. (a) A person may not perform or offer to perform lighting design services unless the person is:

- (1) licensed under this chapter;
- (2) licensed as an engineer under Chapter 1001; or
- (3) registered as an architect, landscape architect, or interior designer under Subtitle B, Title 6.

(b) In this section, "lighting design services" means the preparation of plans and specifications that depict the placement and direction of illumination of mounted or installed lighting fixtures in the interior or exterior of a building, including the specification of bulbs, reflectors, lens, louvers, baffles, and other hardware. The term does not include the preparation of shop drawings or other directions from a manufacturer for the installation or operation of lighting fixtures.

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

SECTION 7. Same as House version.