

BILL ANALYSIS

Senate Research Center
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H.B. 965
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas Commission on Environmental Quality (TCEQ) regulations and state law require that a water system operator and wastewater treatment facility operator obtain continuing education on an annual basis to renew their licenses. Historically, a licensed operator has complied with this regulatory requirement by attending conferences or workshops that include proctored sessions at which a participant personally registers to prove that the participant completed the required training. While a training course may be offered through Internet resources, state law and regulations do not encourage a licensed operator to complete continuing education requirements online. Consequently, many operators or their employers must pay for the time, travel, and registration costs to attend continuing education seminars.

Making continuing education programs available through the Internet would provide a licensed operator with a cheaper and more flexible opportunity to comply with continuing education requirements and would allow a licensed operator to do so in the same manner allowed for licensed members of other occupations, including engineers, attorneys, and pharmacists.

H.B. 965 requires TCEQ to recognize, prepare, or administer continuing education programs made available through the Internet and to adopt rules to allow a licensed operator to certify at the time that the operator renews the operator's license that the operator has complied with the continuing education requirements.

H.B. 965 amends current law relating to continuing education requirements for persons holding licenses issued by the Texas Commission on Environmental Quality.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission for Environmental Quality, as the successor agency to TNRCC.]

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 37.008, Water Code) of this bill.

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.008, Water Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Authorizes the Texas Natural Resource Conservation Commission (TNRCC) to recognize, prepare, or administer continuing education programs for license holders, including continuing education programs made available through the Internet.

(d) Requires TNRCC by rule to provide a method for a person who holds a license prescribed by Section 26.0301 (Wastewater Operations Company Registration and Operator Licensing) of this code or Section 341.033 (Protection of Public Water

Supplies) or 341.034 (Licensing and Registration of Persons Who Perform Duties Relating to Public Water Supplies), Health and Safety Code, to certify at the time the license is renewed that the license holder has complied with TNRCC's continuing education requirements.

SECTION 2. Requires the Texas Commission for Environmental Quality, not later than December 1, 2011, to adopt rules implementing Section 37.008(d), Water Code, as added by this Act. Requires that the rules provide a method by which the holder of a Class A or Class B public water system operator or domestic wastewater treatment facility operator license may certify the holder's compliance with continuing education requirements.

SECTION 3. Effective date: September 1, 2011.