

## **BILL ANALYSIS**

H.B. 965  
By: Callegari  
Government Efficiency & Reform  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Texas Commission on Environmental Quality (TCEQ) regulations and state law require that a water system operator and wastewater treatment facility operator receive 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.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTIONS 1 and 2 of this bill.

### **ANALYSIS**

A statutory reference in this bill to the Texas Natural Resource Conservation Commission is a reference to the Texas Commission on Environmental Quality, as the successor agency to the Texas Natural Resource Conservation Commission.

H.B. 965 amends the Water Code to require the Texas Commission on Environmental Quality (TCEQ) by rule to provide a method for a person who holds a license to discharge wastewater from a sewage treatment facility or a license relating to the protection of public water facilities prescribed by the Health and Safety Code to certify at the time the license is renewed that the license holder has complied with TCEQ's continuing education requirements. The bill includes a program made available through the Internet as a continuing education program. The bill requires TCEQ, not later than December 1, 2011, to adopt rules implementing the bill's provisions and requires the rules to 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.

**EFFECTIVE DATE**

September 1, 2011.