

## **BILL ANALYSIS**

Senate Research Center  
82R4179 EES-F

H.B. 2376  
By: Hamilton (Jackson)  
Business & Commerce  
4/30/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows for a party involved in litigation to concurrently request that the Texas State Board of Plumbing Examiners (TSBPE) investigate a complaint that is the subject matter of the litigation.

H.B. 2376 would create more efficiency in the dispute resolution process for TSBPE and the industry by prohibiting TSBPE from investigating a complaint in which the complaint and the subject of the complaint are engaged in litigation.

H.B. 2376 amends current law relating to the regulation of plumbing.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1301.304, Occupations Code, by adding Subsection (d), to prohibit the Texas State Board of Plumbing Examiners (TSBPE), unless a threat to health or safety exists, from investigating a complaint in which the person filing the complaint and the person who is the subject of the complaint are engaged in litigation related to the subject matter of the complaint until the outcome of the litigation is finally determined.

SECTION 2. Amends Section 1301.552, Occupations Code, as follows:

Sec. 1301.552. CERTIFICATE OF INSURANCE FOR PLUMBING PERMIT IN POLITICAL SUBDIVISION. Requires a political subdivision that requires a responsible master plumber or an agent of a responsible master plumber, rather than a plumbing contractor, to obtain a permit before performing plumbing in the political subdivision to verify through the board's Internet website, or by contacting TSBPE by telephone, that the responsible master plumber has on file with TSBPE a certificate of insurance. Requires that the certificate of insurance:

- (1) be written by a company licensed to do business in this state;
- (2) provide for commercial general liability insurance for the responsible master plumber for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and
- (3) provide coverage of not less than \$300,000 for all claims arising in a one-year period. Makes a conforming change.

SECTION 3. Effective date: September 1, 2011.