

By: Brown

H.B. No. 1580

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the training and certification of state agency
3 employees or contractors performing service work on pressure
4 vessels.

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

6 SECTION 1. Subtitle A, Title 9, Health and Safety Code, is
7 amended by adding Chapter 761 to read as follows:

8 CHAPTER 761. PRESSURE VESSELS

9 Sec. 761.001. DEFINITIONS. In this chapter:

10 (1) "Pressure vessel" means an autoclave, sterilizer,
11 laboratory washer, or other strong, steam-heated vessel able to
12 withstand high temperatures and pressures that is used for
13 laboratory experiments or sterilization of tools, instruments,
14 equipment, or culture media.

15 (2) "State agency" means:

16 (A) a board, commission, department, office, or
17 other agency that is in the executive branch of state government and
18 that was created by the Texas Constitution or a state statute and
19 includes an institution of higher education as defined by Section
20 61.003, Education Code;

21 (B) the legislature or a legislative agency; and

22 (C) the supreme court, the court of criminal
23 appeals, a court of appeals, the State Bar of Texas, or another
24 state judicial agency.

1 Sec. 761.002. TRAINING AND CERTIFICATE REQUIRED. (a) An
2 employee or independent contractor of a state agency or of a person
3 who has contracted with a state agency to perform pressure vessel
4 service work may not perform service work on a pressure vessel owned
5 or used by the agency unless:

6 (1) the individual performing the service work is
7 trained and certified to perform service work on the type of
8 pressure vessel owned or used by the agency; and

9 (2) the individual provides to the agency a copy of the
10 certificate authorizing the individual to perform service work on
11 the type of pressure vessel owned or used by the agency.

12 (b) An individual for whom training and certification are
13 required under Subsection (a)(1) may obtain the training and
14 certification from:

15 (1) the manufacturer of the pressure vessel owned or
16 used by the state agency;

17 (2) a manufacturer of a pressure vessel that is
18 similar to the type of pressure vessel owned or used by the agency,
19 as determined by the agency; or

20 (3) an accredited pressure vessel training school
21 approved by the agency.

22 Sec. 761.003. STATE AGENCY RECORDS. A state agency that has
23 an employee or independent contractor of the agency perform service
24 work on a pressure vessel owned or used by the agency or that
25 contracts with a person for the performance of service work on the
26 pressure vessel shall retain in its records each certificate copy
27 received by the agency under Section 762.002(a)(2) until the agency

1 disposes of the pressure vessel.

2 SECTION 2. Notwithstanding Chapter 761, Health and Safety
3 Code, as added by this Act, an individual is not required to be
4 trained and certified as required by that chapter and a state agency
5 is not required to retain a copy of the certificate required by that
6 chapter until October 1, 2011.

7 SECTION 3. This Act takes effect September 1, 2011.