

1-1 By: Brown (Senate Sponsor - Carona) H.B. No. 1580
1-2 (In the Senate - Received from the House May 13, 2011;
1-3 May 13, 2011, read first time and referred to Committee on Business
1-4 and Commerce; May 18, 2011, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 18, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the training and certification of state agency
1-9 employees or contractors performing service work on pressure
1-10 vessels.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle A, Title 9, Health and Safety Code, is
1-13 amended by adding Chapter 761 to read as follows:

1-14 CHAPTER 761. PRESSURE VESSELS

1-15 Sec. 761.001. DEFINITIONS. In this chapter:

1-16 (1) "Pressure vessel" means an autoclave, sterilizer,
1-17 laboratory washer, or other strong, steam-heated vessel able to
1-18 withstand high temperatures and pressures that is used for
1-19 laboratory experiments or sterilization of tools, instruments,
1-20 equipment, or culture media.

1-21 (2) "State agency" means:

1-22 (A) a board, commission, department, office, or
1-23 other agency that is in the executive branch of state government and
1-24 that was created by the Texas Constitution or a state statute and
1-25 includes an institution of higher education as defined by Section
1-26 61.003, Education Code;

1-27 (B) the legislature or a legislative agency; and

1-28 (C) the supreme court, the court of criminal
1-29 appeals, a court of appeals, the State Bar of Texas, or another
1-30 state judicial agency.

1-31 Sec. 761.002. TRAINING AND CERTIFICATE REQUIRED. (a) An
1-32 employee or independent contractor of a state agency or of a person
1-33 who has contracted with a state agency to perform pressure vessel
1-34 service work may not perform service work on a pressure vessel owned
1-35 or used by the agency unless:

1-36 (1) the individual performing the service work is
1-37 trained and certified to perform service work on the type of
1-38 pressure vessel owned or used by the agency; and

1-39 (2) the individual provides to the agency a copy of the
1-40 certificate authorizing the individual to perform service work on
1-41 the type of pressure vessel owned or used by the agency.

1-42 (b) An individual for whom training and certification are
1-43 required under Subsection (a)(1) may obtain the training and
1-44 certification from:

1-45 (1) the manufacturer of the pressure vessel owned or
1-46 used by the state agency;

1-47 (2) a manufacturer of a pressure vessel that is
1-48 similar to the type of pressure vessel owned or used by the agency,
1-49 as determined by the agency; or

1-50 (3) an accredited pressure vessel training school
1-51 approved by the agency.

1-52 Sec. 761.003. STATE AGENCY RECORDS. A state agency that has
1-53 an employee or independent contractor of the agency perform service
1-54 work on a pressure vessel owned or used by the agency or that
1-55 contracts with a person for the performance of service work on the
1-56 pressure vessel shall retain in its records each certificate copy
1-57 received by the agency under Section 762.002(a)(2) until the agency
1-58 disposes of the pressure vessel.

1-59 SECTION 2. Notwithstanding Chapter 761, Health and Safety
1-60 Code, as added by this Act, an individual is not required to be
1-61 trained and certified as required by that chapter and a state agency
1-62 is not required to retain a copy of the certificate required by that
1-63 chapter until October 1, 2011.

1-64 SECTION 3. This Act takes effect September 1, 2011.

1-65

* * * * *