

BILL ANALYSIS

Senate Research Center

H.B. 1503
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires that two of the nine members on the Texas State Board of Plumbing Examiners be building contractors. Also, builders represent three of 12 spots on the Texas Department of Licensing and Regulation (TDLR) Industrialized Building Code Council, as required by Section 1202.051 (Council Membership), Occupations Code.

TDLR oversees numerous occupations, including electricians and air conditioning contractors through the Electrical Safety and Licensing Advisory Board and the Air Conditioning and Refrigeration Contractors Advisory Board, respectively. Like plumbing, electrical systems and air conditioning mechanisms are key components of a home and play a vital role in a home's overall construction practices and affordability. However, the TDLR Electrical Safety and Licensing Advisory Board and the TDLR Air Conditioning and Refrigeration Contractors Advisory Board do not have builder representation.

H.B. 1503 requires that one of the three public members on the TDLR Electrical Safety and Licensing Advisory Board be a residential builder, using language that has been agreed to by the Independent Electrical Contractors Association of Texas and the Texas Association of Builders. Furthermore, the bill adds a licensed air conditioning and refrigeration contractor and a residential builder to the TDLR Air Conditioning and Refrigeration Contractors Advisory Board, using language negotiated by the Texas Air Conditioning Contractors Association and the Texas Association of Builders. The licensed trades on each advisory board would remain the majority.

H.B. 1503 amends current law relating to the appointment of building contractors to certain trade advisory boards of the Texas Department of Licensing and Regulation.

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 1302.201, Occupations Code, as follows:

Sec. 1302.201. **ADVISORY BOARD MEMBERSHIP.** Provides that the air conditioning and refrigeration contractors advisory board consists of nine members, rather than seven members, appointed by the presiding officer of the Texas Commission on Licensing and Regulation (TCLR), with TCLR's approval, and two ex officio nonvoting members. Requires that one member of the advisory board be a public member.

SECTION 2. Amends Section 1302.202(a), Occupations Code, as follows:

(a) Requires each appointed advisory board member, except for the public member and the building contractor member, to be experienced in the design, installation, construction, maintenance, service, repair, or modification of equipment used for environmental air conditioning, commercial refrigeration, or process cooling or heating. Provides that other than the public member, of the appointed members:

- (1) Makes no change;
- (2) Makes a nonsubstantive change;
- (3) five, rather than four, are required to be full-time licensed air conditioning and refrigeration contractors, as follows:
 - (A)-(B) Makes no change;
 - (C)-(D) Makes nonsubstantive changes; and
 - (E) one member who holds a license of any classification under this chapter, is principally engaged in air conditioning and refrigeration contracting, and practices in a municipality; and
- (4) one is required to be a building contractor who is principally engaged in home construction and is a member of a statewide building trade association.

SECTION 3. Amends Section 1305.051(b), Occupations Code, to require the electrical safety and licensing advisory board members to include persons with certain affiliations, including one public member who is a building contractor principally engaged in home construction and is a member of a statewide building trade association.

SECTION 4. (a) Requires the presiding officer of TCLR, with TCLR's approval, not later than December 1, 2013, to appoint the additional board members described by Section 1302.202, Occupations Code, as amended by this Act, to the air conditioning and refrigeration contractors advisory board.

(b) Provides that the change in law made by this Act to Section 1305.051(b), Occupations Code, regarding the qualifications of members of the electrical safety and licensing advisory board does not affect the entitlement of a member serving on the board immediately before the effective date of this Act to continue to serve for the remainder of the member's term. Requires the presiding officer of TCLR, as terms on the board expire, to appoint members that reflect the requirements of Section 1305.051(b), Occupations Code, as amended by this Act.

SECTION 5. Effective date: upon passage or September 1, 2013.