

By: Kuempel

H.B. No. 1503

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the appointment of building contractors to certain  
3 trade advisory boards of the Texas Department of Licensing and  
4 Regulation.

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

6 SECTION 1. Section 1302.201, Occupations Code, is amended  
7 to read as follows:

8 Sec. 1302.201. ADVISORY BOARD MEMBERSHIP. The air  
9 conditioning and refrigeration contractors advisory board consists  
10 of nine [~~seven~~] members appointed by the presiding officer of the  
11 commission, with the commission's approval, and two ex officio  
12 nonvoting members. One member of the advisory board must be a  
13 public member.

14 SECTION 2. Section 1302.202(a), Occupations Code, is  
15 amended to read as follows:

16 (a) Except for the public member and the building contractor  
17 member, each appointed advisory board member must be experienced in  
18 the design, installation, construction, maintenance, service,  
19 repair, or modification of equipment used for environmental air  
20 conditioning, commercial refrigeration, or process cooling or  
21 heating. Other than the public member, of the appointed members:

22 (1) one must be an official of a municipality with a  
23 population of more than 250,000;

24 (2) one must be an official of a municipality with a

1 population of not more than 250,000; [~~and~~]

2 (3) five [~~four~~] must be full-time licensed air  
3 conditioning and refrigeration contractors, as follows:

4 (A) one member who holds a Class A license and  
5 practices in a municipality with a population of more than 250,000;

6 (B) one member who holds a Class B license and  
7 practices in a municipality with a population of more than 250,000;

8 (C) one member who holds a Class A license and  
9 practices in a municipality with a population of more than 25,000  
10 but not more than 250,000; [~~and~~]

11 (D) one member who holds a Class B license and  
12 practices in a municipality with a population of not more than  
13 25,000; and

14 (E) one member who holds a license of any  
15 classification under this chapter, is principally engaged in air  
16 conditioning and refrigeration contracting, and practices in a  
17 municipality; and

18 (4) one must be a building contractor who is  
19 principally engaged in home construction and is a member of a  
20 statewide building trade association.

21 SECTION 3. Section 1305.051(b), Occupations Code, is  
22 amended to read as follows:

23 (b) The advisory board members must include:

24 (1) two members who are affiliated with a statewide  
25 association of electrical contractors not affiliated with a labor  
26 organization;

27 (2) three members who are affiliated with a labor

1 organization;

2 (3) one member who is not affiliated with a statewide  
3 association of electrical contractors or with a labor organization;  
4 [~~and~~]

5 (4) one member who is affiliated with a historically  
6 underutilized business, as that term is defined by Section  
7 2161.001, Government Code; and

8 (5) one public member who is a building contractor  
9 principally engaged in home construction and is a member of a  
10 statewide building trade association.

11 SECTION 4. (a) Not later than December 1, 2013, the  
12 presiding officer of the Texas Commission of Licensing and  
13 Regulation, with the commission's approval, shall appoint the  
14 additional board members described by Section 1302.202,  
15 Occupations Code, as amended by this Act, to the air conditioning  
16 and refrigeration contractors advisory board.

17 (b) The change in law made by this Act to Section  
18 1305.051(b), Occupations Code, regarding the qualifications of  
19 members of the electrical safety and licensing advisory board does  
20 not affect the entitlement of a member serving on the board  
21 immediately before the effective date of this Act to continue to  
22 serve for the remainder of the member's term. As terms on the board  
23 expire, the presiding officer of the Texas Commission of Licensing  
24 and Regulation shall appoint members that reflect the requirements  
25 of Section 1305.051(b), Occupations Code, as amended by this Act.

26 SECTION 5. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2013.