

By: J. Davis of Harris

H.B. No. 2062

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of plumbing.

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

SECTION 1. Sections 1301.002(11) and (12), Occupations Code, are amended to read as follows:

(11) "Water supply protection specialist" means a person who holds an endorsement issued by the board to engage in:

(A) customer service inspections, as defined by rule of the Texas Commission on Environmental Quality; and

(B) the installation, service, and repair of plumbing associated with the treatment, use, and distribution use of rainwater to supply a plumbing fixture or [7] appliance[~~or irrigation system~~].

(12) "Water treatment" means a business conducted under contract that requires ability, experience, and skill in analyzing water to determine how to treat influent and effluent water to change or purify the water or to add or remove minerals, chemicals, or bacteria. The term does not include treatment of rainwater or the repair of systems for rainwater harvesting. The term includes:

(A) installing and servicing fixed or portable water treatment equipment in a public or private water treatment system; or

(B) making connections necessary to install a

1 water treatment system.

2 SECTION 2. Section 1301.053(a), Occupations Code, is
3 amended to read as follows:

4 (a) A person is not required to be licensed under this
5 chapter to perform:

6 (1) plumbing incidental to and in connection with the
7 business in which the person is employed or engaged if the person:

8 (A) is regularly employed as or acting as a
9 maintenance person or maintenance engineer; and

10 (B) does not engage in plumbing for the public;

11 (2) construction, installation, or maintenance on the
12 premises or equipment of a railroad if the person is an employee of
13 the railroad who does not engage in plumbing for the public;

14 (3) plumbing if the person is engaged by a public
15 service company to:

16 (A) lay, maintain, or operate its service mains
17 or lines to the point of measurement; and

18 (B) install, change, adjust, repair, remove, or
19 renovate appurtenances, equipment, or appliances;

20 (4) appliance installation and service work, other
21 than installation and service work on water heaters, that involves
22 connecting appliances to existing openings with a code-approved
23 appliance connector if the person performs the work as an appliance
24 dealer or an employee of an appliance dealer; or

25 (5) water treatment installations, exchanges,
26 services, or repairs, other than the treatment of rainwater to
27 supply a plumbing fixture or appliance.

1 SECTION 3. Section 1301.302, Occupations Code, is amended
2 to read as follows:

3 Sec. 1301.302. CONTRACT INFORMATION; REQUIRED DOCUMENTS. A
4 written proposal, invoice, or contract relating to plumbing
5 services performed by or under the direction of a plumber licensed
6 under this chapter must contain the name and license number of the
7 responsible master plumber and the name, mailing address, and
8 telephone number of the board. The person who performed the
9 services shall give the customer an invoice or completed contract
10 document on completion of the job, regardless of whether the person
11 charged a fee for performing the services.

12 SECTION 4. Section 1301.303(a), Occupations Code, is
13 amended to read as follows:

14 (a) The board may investigate an alleged violation of this
15 chapter by a person who:

16 (1) is licensed under this chapter; [~~or~~]

17 (2) is the owner of a plumbing company subject to this
18 chapter; or

19 (3) performs plumbing without holding a license under
20 this chapter.

21 SECTION 5. Section 1301.351, Occupations Code, is amended
22 by adding Subsection (d) to read as follows:

23 (d) A person who holds a license or registration issued
24 under this chapter shall carry the license or registration on his or
25 her person while engaged in plumbing.

26 SECTION 6. Section 1301.354(d), Occupations Code, is
27 amended to read as follows:

1 (d) A [~~Notwithstanding the classroom training required by~~
2 ~~Subsection (b), a~~] plumber's apprentice may apply for and take an
3 examination for a license as a journeyman plumber [~~or tradesman~~
4 ~~plumber-limited license holder~~] if the apprentice has received an
5 associate of applied science degree from a plumbing technology
6 program [~~that~~]:

7 (1) that includes a combination of classroom and
8 on-the-job training; [~~and~~]

9 (2) in which all laboratory training in plumbing is
10 taught by a licensed plumber; and

11 (3) that is approved by [~~the board and~~] the Texas
12 Higher Education Coordinating Board.

13 SECTION 7. Sections 1301.551(c) and (g), Occupations Code,
14 are amended to read as follows:

15 (c) A municipality that adopts an ordinance or bylaw under
16 this section shall provide by ordinance or bylaw that a person must
17 obtain a permit before the person performs plumbing, other than the
18 repairing of leaks, the replacement of lavatory or kitchen faucets,
19 the replacement of ballcocks or water control valves, the
20 replacement of garbage disposals, or the replacement of water
21 closets. The municipality may prescribe the terms on which the
22 permit is issued.

23 (g) A responsible master plumber, plumbing contractor, or
24 other person who is required to obtain a permit under this section
25 is not required to pay a plumbing registration fee or
26 administrative fee in a municipality or any other political
27 subdivision.

1 SECTION 8. Section 1301.354(b-1), Occupations Code, is
2 repealed.

3 SECTION 9. Section 1301.354, Occupations Code, as amended
4 by this Act, applies only to an application for a journeyman plumber
5 license under Section 1301.354, Occupations Code, submitted on or
6 after January 1, 2014. An application for a journeyman plumber
7 license submitted before that date is governed by the law in effect
8 when the application was submitted, and the former law is continued
9 in effect for that purpose.

10 SECTION 10. The changes in law made by this Act apply only
11 to services performed on or after the effective date of this Act.
12 Services performed before the effective date of this Act are
13 governed by the law in effect on the date the services were
14 performed, and the former law is continued in effect for that
15 purpose.

16 SECTION 11. This Act takes effect September 1, 2013.