

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 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 1301.357(e), Occupations Code, is  
27 amended to read as follows:

1 (e) A person is not required to hold a water supply  
2 protection specialist endorsement if the person[+]

3 [~~1~~] is employed by:

4 (1) [~~A~~] a political subdivision; or

5 (2) [~~B~~] an electric utility as defined by Section  
6 31.002, Utilities Code[+ and

7 [~~2~~] ~~acts as a backflow prevention device specialist~~  
8 ~~or water supply protection specialist in the course of the person's~~  
9 ~~employment].~~

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

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

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

25 SECTION 8. The changes in law made by this Act apply only to  
26 services performed on or after the effective date of this Act.  
27 Services performed before the effective date of this Act are

1 governed by the law in effect on the date the services were  
2 performed, and the former law is continued in effect for that  
3 purpose.

4 SECTION 9. This Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2062 was passed by the House on May 4, 2013, by the following vote: Yeas 104, Nays 28, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2062 on May 24, 2013, by the following vote: Yeas 91, Nays 50, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2062 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor