

1-1 By: J. Davis of Harris (Senate Sponsor - Taylor) H.B. No. 2062
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on Business
 1-4 and Commerce; May 17, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 May 17, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2062 By: Taylor

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the regulation of plumbing.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Sections 1301.002(11) and (12), Occupations
 1-24 Code, are amended to read as follows:
 1-25 (11) "Water supply protection specialist" means a
 1-26 person who holds an endorsement issued by the board to engage in:
 1-27 (A) customer service inspections, as defined by
 1-28 rule of the Texas Commission on Environmental Quality; and
 1-29 (B) the installation, service, and repair of
 1-30 plumbing associated with the treatment, use, and distribution use
 1-31 of rainwater to supply a plumbing fixture or [] appliance [, or
 1-32 irrigation system].
 1-33 (12) "Water treatment" means a business conducted
 1-34 under contract that requires ability, experience, and skill in
 1-35 analyzing water to determine how to treat influent and effluent
 1-36 water to change or purify the water or to add or remove minerals,
 1-37 chemicals, or bacteria. The term does not include treatment of
 1-38 rainwater or the repair of systems for rainwater harvesting. The
 1-39 term includes:
 1-40 (A) installing and servicing fixed or portable
 1-41 water treatment equipment in a public or private water treatment
 1-42 system; or
 1-43 (B) making connections necessary to install a
 1-44 water treatment system.
 1-45 SECTION 2. Section 1301.053(a), Occupations Code, is
 1-46 amended to read as follows:
 1-47 (a) A person is not required to be licensed under this
 1-48 chapter to perform:
 1-49 (1) plumbing incidental to and in connection with the
 1-50 business in which the person is employed or engaged if the person:
 1-51 (A) is regularly employed as or acting as a
 1-52 maintenance person or maintenance engineer; and
 1-53 (B) does not engage in plumbing for the public;
 1-54 (2) construction, installation, or maintenance on the
 1-55 premises or equipment of a railroad if the person is an employee of
 1-56 the railroad who does not engage in plumbing for the public;
 1-57 (3) plumbing if the person is engaged by a public
 1-58 service company to:
 1-59 (A) lay, maintain, or operate its service mains
 1-60 or lines to the point of measurement; and
 1-61 (B) install, change, adjust, repair, remove, or
 1-62 renovate appurtenances, equipment, or appliances;
 1-63 (4) appliance installation and service work, other

2-1 than installation and service work on water heaters, that involves
2-2 connecting appliances to existing openings with a code-approved
2-3 appliance connector if the person performs the work as an appliance
2-4 dealer or an employee of an appliance dealer; or

2-5 (5) water treatment installations, exchanges,
2-6 services, or repairs, other than the treatment of rainwater to
2-7 supply a plumbing fixture or appliance.

2-8 SECTION 3. Section 1301.302, Occupations Code, is amended
2-9 to read as follows:

2-10 Sec. 1301.302. CONTRACT INFORMATION; REQUIRED DOCUMENTS. A
2-11 written proposal, invoice, or contract relating to plumbing
2-12 services performed by or under the direction of a plumber licensed
2-13 under this chapter must contain the name and license number of the
2-14 responsible master plumber and the name, mailing address, and
2-15 telephone number of the board. The person who performed the
2-16 services shall give the customer an invoice or completed contract
2-17 document on completion of the job, regardless of whether the person
2-18 charged a fee for performing the services.

2-19 SECTION 4. Section 1301.303(a), Occupations Code, is
2-20 amended to read as follows:

2-21 (a) The board may investigate an alleged violation of this
2-22 chapter by a person who:

2-23 (1) is licensed under this chapter; [~~or~~]

2-24 (2) is the owner of a plumbing company subject to this
2-25 chapter; or

2-26 (3) performs plumbing without holding a license under
2-27 this chapter.

2-28 SECTION 5. Section 1301.351, Occupations Code, is amended
2-29 by adding Subsection (d) to read as follows:

2-30 (d) A person who holds a license or registration issued
2-31 under this chapter shall carry the license or registration on his or
2-32 her person while engaged in plumbing.

2-33 SECTION 6. Section 1301.357(e), Occupations Code, is
2-34 amended to read as follows:

2-35 (e) A person is not required to hold a water supply
2-36 protection specialist endorsement if the person[~~+~~

2-37 [~~(1)~~] is employed by:

2-38 (1) [~~(A)~~] a political subdivision; or

2-39 (2) [~~(B)~~] an electric utility as defined by Section
2-40 31.002, Utilities Code[~~, and~~

2-41 [~~(2) acts as a backflow prevention device specialist~~
2-42 ~~or water supply protection specialist in the course of the person's~~
2-43 ~~employment].~~

2-44 SECTION 7. Sections 1301.551(c) and (g), Occupations Code,
2-45 are amended to read as follows:

2-46 (c) A municipality that adopts an ordinance or bylaw under
2-47 this section shall provide by ordinance or bylaw that a person must
2-48 obtain a permit before the person performs plumbing, other than the
2-49 repairing of leaks, the replacement of lavatory or kitchen faucets,
2-50 the replacement of ballcocks or water control valves, the
2-51 replacement of garbage disposals, or the replacement of water
2-52 closets. The municipality may prescribe the terms on which the
2-53 permit is issued.

2-54 (g) A responsible master plumber, plumbing contractor, or
2-55 other person who is required to obtain a permit under this section
2-56 is not required to pay a plumbing registration fee or
2-57 administrative fee in a municipality or any other political
2-58 subdivision.

2-59 SECTION 8. The changes in law made by this Act apply only to
2-60 services performed on or after the effective date of this Act.
2-61 Services performed before the effective date of this Act are
2-62 governed by the law in effect on the date the services were
2-63 performed, and the former law is continued in effect for that
2-64 purpose.

2-65 SECTION 9. This Act takes effect September 1, 2013.

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