

1-1 By: Carona S.B. No. 1387
1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 11, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 1; April 11, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Fraser	X		
1-10	Estes	X		
1-11	Deuell	X		
1-12	Duncan	X		
1-13	Ellis	X		
1-14	Eltife	X		
1-15	Hegar	X		
1-16	Hinojosa		X	
1-17	Nichols	X		
1-18	Seliger		X	
1-19	Uresti	X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1387 By: Hegar

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to water well drillers and pump installers; changing fees.
1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-25 SECTION 1. Section 1901.001, Occupations Code, is amended
1-26 by adding Subdivision (13-a) and amending Subdivision (16) to read
1-27 as follows:
1-28 (13-a) "Third-party inspector" means a qualified
1-29 employee of a state agency with jurisdiction over wells who assists
1-30 the department with enforcement activities.
1-31 (16) "Well" means a water well, injection well,
1-32 dewatering well, closed-loop geothermal well, or monitoring well.
1-33 SECTION 2. Subchapter B, Chapter 1901, Occupations Code, is
1-34 amended by adding Section 1901.056 to read as follows:
1-35 Sec. 1901.056. REGIONAL WELL INSPECTION PROGRAM. (a) The
1-36 commission by rule shall establish a regional well inspection
1-37 program using third-party inspectors.
1-38 (b) Rules adopted under Subsection (a) shall establish:
1-39 (1) training requirements for a third-party
1-40 inspector;
1-41 (2) registration procedures for a third-party
1-42 inspector; and
1-43 (3) policies governing the acts of a third-party
1-44 inspector in conducting an inspection or investigation.
1-45 SECTION 3. Section 1901.152, Occupations Code, is amended
1-46 to read as follows:
1-47 Sec. 1901.152. LICENSE APPLICATION[~~, EXAMINATION FEE~~].
1-48 [~~(a)~~] An applicant [application] for a license must submit to the
1-49 department [contain]:
1-50 (1) an application that includes:
1-51 (A) the applicant's name;
1-52 (B) [~~(2)~~] the applicant's business address;
1-53 (C) [~~(3)~~] the applicant's permanent mailing
1-54 address; and
1-55 (D) [~~(4)~~] any other relevant information
1-56 required by the department; and
1-57 (2) [~~(b)~~ An applicant must pay to the department] an
1-58 application [examination] fee [at the time the application is
1-59 submitted].
1-60 SECTION 4. Subchapter D, Chapter 1901, Occupations Code, is

amended by adding Section 1901.153 to read as follows:

Sec. 1901.153. APPRENTICE DRILLER PROGRAM. The commission by rule shall establish an apprentice driller program.

SECTION 5. Subsection (a), Section 1901.201, Occupations Code, is amended to read as follows:

(a) The department shall offer examinations for a license under this chapter ~~[at least once each year]~~.

SECTION 6. Subsection (a), Section 1901.251, Occupations Code, is amended to read as follows:

(a) Each driller who drills, deepens, or otherwise alters a ~~[water]~~ well in this state shall make and keep a legible and accurate well log in accordance with rules adopted by the commission and on forms prescribed by the executive director. The well log shall be recorded at the time of drilling, deepening, or otherwise altering the well and must contain:

(1) the depth, thickness, and character of the strata penetrated;

(2) the location of water-bearing strata;

(3) the depth, size, and character of casing installed; and

(4) any other information required by rules adopted by the commission.

SECTION 7. Subchapter I, Chapter 1901, Occupations Code, is amended by adding Section 1901.405 to read as follows:

Sec. 1901.405. THIRD-PARTY INSPECTORS; ENFORCEMENT. The department may contract with a third-party inspector to assist in the enforcement of this chapter or a rule adopted under this chapter, including rules governing the performance of inspections and the conduct of investigations.

SECTION 8. Section 1902.152, Occupations Code, is amended to read as follows:

Sec. 1902.152. LICENSE APPLICATION~~[, EXAMINATION FEE]~~. ~~[(a)]~~ An applicant ~~[application]~~ for a license must submit to the department ~~[contain]~~:

(1) an application that includes:

(A) the applicant's name;

(B) ~~[(2)]~~ the applicant's business address;

(C) ~~[(3)]~~ the applicant's permanent mailing address; and

(D) ~~[(4)]~~ any other information required by the department; and~~[-]~~

(2) ~~[(b) An applicant must pay to the department] an application~~ ~~[examination]~~ fee ~~[at the time the application is submitted]~~.

SECTION 9. Subchapter D, Chapter 1902, Occupations Code, is amended by adding Section 1902.153 to read as follows:

Sec. 1902.153. APPRENTICE PUMP INSTALLER PROGRAM. The commission by rule shall establish an apprentice pump installer program.

SECTION 10. Subsection (a), Section 1902.201, Occupations Code, is amended to read as follows:

(a) The department shall offer examinations for a license under this chapter ~~[at least once each month]~~.

SECTION 11. The following provisions of the Occupations Code are repealed:

(1) Subsection (b), Section 1901.201; and

(2) Subsection (b), Section 1902.201.

SECTION 12. Not later than April 1, 2014, the Texas Commission of Licensing and Regulation shall adopt rules to implement the changes in law made by this Act to Chapters 1901 and 1902, Occupations Code.

SECTION 13. This Act takes effect September 1, 2013.

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