

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

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.

**ADOPTED**

MAY 22 2013

*Atty. Gen.*  
Secretary of the Senate

By: Taylor

H.B. No. 2062

Substitute the following for H.B. No. 2062:

By: Larry Taylor

C.S. H.B. No. 2062

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13 ~~irrigation system~~].

14 (12) "Water treatment" means a business conducted  
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17 water to change or purify the water or to add or remove minerals,  
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19 rainwater or the repair of systems for rainwater harvesting. The  
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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:

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17 or lines to the point of measurement; and

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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  
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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.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 23, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2062** by Davis, John (Relating to the regulation of plumbing.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code relating to the regulation of plumbing.

Based on information provided by the Board of Plumbing Examiners, this analysis assumes that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 456 Board of Plumbing Examiners

**LBB Staff:** UP, SD, CWS, KKR, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 17, 2013**

**TO:** Honorable John Carona, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2062** by Davis, John (Relating to the regulation of plumbing.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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**Source Agencies:** 456 Board of Plumbing Examiners

**LBB Staff:** UP, CWS, KKR, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 9, 2013**

**TO:** Honorable John Carona, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2062** by Davis, John (Relating to the regulation of plumbing.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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Based on information provided by the Board of Plumbing Examiners, this analysis assumes that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 456 Board of Plumbing Examiners

**LBB Staff:** UP, CWS, KKR, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 17, 2013**

**TO:** Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2062** by Davis, John (Relating to the regulation of plumbing.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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**Source Agencies:** 456 Board of Plumbing Examiners

**LBB Staff:** UP, CWS, KKR, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 23, 2013**

**TO:** Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2062** by Davis, John (Relating to the regulation of plumbing.), **As Introduced**

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