

House Bill 2062
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<p>SECTION 1. Sections 1301.002(11) and (12), Occupations Code, are amended to read as follows:</p> <p>(11) "Water supply protection specialist" means a person who holds an endorsement issued by the board to engage in:</p> <p>(A) customer service inspections, as defined by rule of the Texas Commission on Environmental Quality; and</p> <p>(B) the installation, service, and repair of plumbing associated with the <u>treatment</u>, use, and distribution use of rainwater to supply a plumbing fixture <u>or</u> [,] appliance[-or irrigation system].</p> <p>(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. <u>The term does not include treatment of rainwater or the repair of systems for rainwater harvesting.</u> The term includes:</p> <p>(A) installing and servicing fixed or portable water treatment equipment in a public or private water treatment system; or</p> <p>(B) making connections necessary to install a water treatment system.</p> <p>SECTION 2. Section 1301.053(a), Occupations Code, is amended to read as follows:</p> <p>(a) A person is not required to be licensed under this chapter to perform:</p> <p>(1) plumbing incidental to and in connection with the business in which the person is employed or engaged if the person:</p> <p>(A) is regularly employed as or acting as a maintenance person or maintenance engineer; and</p>	<p>SECTION 1. Same as House version.</p> <p>SECTION 2. Same as House version.</p>	

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<p>(B) does not engage in plumbing for the public;</p> <p>(2) construction, installation, or maintenance on the premises or equipment of a railroad if the person is an employee of the railroad who does not engage in plumbing for the public;</p> <p>(3) plumbing if the person is engaged by a public service company to:</p> <p>(A) lay, maintain, or operate its service mains or lines to the point of measurement; and</p> <p>(B) install, change, adjust, repair, remove, or renovate appurtenances, equipment, or appliances;</p> <p>(4) appliance installation and service work, other than installation and service work on water heaters, that involves connecting appliances to existing openings with a code-approved appliance connector if the person performs the work as an appliance dealer or an employee of an appliance dealer; or</p> <p>(5) water treatment installations, exchanges, services, or repairs, <u>other than the treatment of rainwater to supply a plumbing fixture or appliance.</u></p>		

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

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

SECTION 3. Same as House version.

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person charged a fee for performing the services.

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

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

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

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

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

SECTION 4. Same as House version.

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

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

SECTION 5. Same as House version.

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

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

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

(2) in which all laboratory training in plumbing is taught by a

No equivalent provision.

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licensed plumber; and
(3) that is approved by ~~[the board and]~~ the Texas Higher Education Coordinating Board.

No equivalent provision.

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

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

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

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

(e) A person is not required to hold a water supply protection specialist endorsement if the person[; ~~(1)~~] is employed by:

~~(1) [(A)] a political subdivision; or~~
~~(2) [(B)] an electric utility as defined by Section 31.002, Utilities Code[; and~~
~~[(2) acts as a backflow prevention device specialist or water supply protection specialist in the course of the person's employment].~~

SECTION 7. Same as House version.

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subdivision.		
SECTION 8. Section 1301.354(b-1), Occupations Code, is repealed.	No equivalent provision.	
SECTION 9. Section 1301.354, Occupations Code, as amended by this Act, applies only to an application for a journeyman plumber license under Section 1301.354, Occupations Code, submitted on or after January 1, 2014. An application for a journeyman plumber license submitted before that date is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.	No equivalent provision.	
SECTION 10. The changes in law made by this Act apply only to services performed on or after the effective date of this Act. Services performed before the effective date of this Act are governed by the law in effect on the date the services were performed, and the former law is continued in effect for that purpose.	SECTION 8. Same as House version.	
SECTION 11. This Act takes effect September 1, 2013.	SECTION 9. Same as House version.	