

By: Huberty

H.B. No. 3792

A BILL TO BE ENTITLED

AN ACT

relating to entities providing engineering services to a utility or affiliate.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1001.002, Occupations Code, is amended by adding Subdivision (3) to read as follows:

(3) "Telephony" means the construction, deployment, maintenance or operation of telephones and telephonic systems or telecommunications in which telephonic equipment with or without the use of wires is employed. It includes all design, construction, excavation, trench safety, traffic planning or maintenance necessary to design, deploy or maintain such systems in rights-of-way, utility easements or private property, but does not include constructing or placing a full-size manhole or connecting structures between full-size manholes.

SECTION 2. Section 1001.058, Occupations Code, is amended by amending Subdivision (a) to read as follows:

(a) A regular full-time employee of a privately owned public utility or cooperative utility or of the utility's affiliate, including any agents or engineering firms performing work on behalf of and under the supervision of such utility or affiliate, is exempt from the licensing requirements of this chapter if the employee:

(1) performs services exclusively for the utility or affiliate; and

1 (2) does not have the final authority to approve, or
2 the ultimate responsibility for, engineering designs, plans, or
3 specifications that are to be:

4 (A) incorporated into fixed works, systems, or
5 facilities on the property of others; or

6 (B) made available to the public.

7 SECTION 3. EFFECTIVE DATE. This Act takes effect
8 immediately if it receives a vote of two-thirds of all the members
9 elected to each house, as provided by Section 39, Article III, Texas
10 Constitution. If this Act does not receive the vote necessary for
11 immediate effect, this Act takes effect September 1, 2015.