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Perry

S.B. No. 953

A BILL TO BE ENTITLED

AN ACT

relating to an exemption for certain persons who sell signs from the requirement to be licensed as an electrician.

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

SECTION 1. Section 1305.003(a), Occupations Code, is amended to read as follows:

(a) This chapter does not apply to:

(1) the installation of electrical equipment in a ship, watercraft other than a floating building, railway rolling stock, aircraft, motor vehicle, or recreational vehicle;

(2) the installation of electrical equipment underground in a mine and in self-propelled mobile surface mining machinery and its attendant electrical trailing cable;

(3) the installation of electrical equipment for generation, transformation, transmission, or distribution of power used exclusively to operate railway rolling stock or exclusively for signaling and communications purposes;

(4) the installation, maintenance, alteration, or repair of communications equipment provided by a telecommunications provider;

(5) the installation, maintenance, alteration, or repair of electrical equipment under the exclusive control of an electric utility, power generation company as defined by Sections 31.002(1) and (10), Utilities Code, electric cooperative, or

1 municipally owned utility and used for communications or metering,  
2 or for the generation, control, transformation, transmission, and  
3 distribution of electrical energy, and located:

4 (A) in a building used exclusively by a utility  
5 or power generation company for those purposes;

6 (B) outdoors on property owned or leased by the  
7 utility or power generation company;

8 (C) on public highways, streets, roads, or other  
9 public rights-of-way; or

10 (D) outdoors by established rights in vaults or  
11 on private property;

12 (6) work not specifically regulated by a municipal  
13 ordinance that is performed in or on a dwelling by a person who owns  
14 and resides in the dwelling;

15 (7) work involved in the manufacture of electrical  
16 equipment that includes the on-site and off-site manufacturing,  
17 commissioning, testing, calibrating, coordinating,  
18 troubleshooting, or evaluating of electrical equipment, the  
19 repairing or retrofitting of electrical equipment with components  
20 of the same ampacity, and the maintenance and servicing of  
21 electrical equipment within the equipment's enclosure that is  
22 performed by an authorized employee or authorized representative of  
23 an electrical equipment manufacturer and limited to the type of  
24 products manufactured by the manufacturer;

25 (8) electrical work if:

26 (A) the work is performed by a person who does not  
27 engage in electrical work for the public;

1                   (B) the work is performed by a person regularly  
2 employed as a maintenance person or maintenance electrician for a  
3 business; and

4                   (C) the electrical work does not involve the  
5 installation of electrical equipment during new construction as  
6 defined by rules adopted under Chapter 151, Tax Code;

7                   (9) the installation, maintenance, alteration, or  
8 repair of electrical equipment or associated wiring under the  
9 exclusive control of a gas utility and used for communications or  
10 metering or for the control, transmission, or distribution of  
11 natural gas;

12                   (10) thoroughfare lighting, traffic signals,  
13 intelligent transportation systems, and telecommunications  
14 controlled by a governmental entity;

15                   (11) electrical connections supplying heating,  
16 ventilation, and cooling and refrigeration equipment, including  
17 any required disconnect exclusively for the equipment, if the  
18 service is performed by a licensed air conditioning and  
19 refrigeration contractor under Chapter 1302;

20                   (12) the design, installation, erection, repair, or  
21 alteration of Class 1, Class 2, or Class 3 remote control,  
22 signaling, or power-limited circuits, fire alarm circuits, optical  
23 fiber cables, or communications circuits, including raceways, as  
24 defined by the National Electrical Code;

25                   (13) landscape irrigation installers, as necessary to  
26 perform the installation and maintenance of irrigation control  
27 systems, and landscapers, as necessary to perform the installation

1 and maintenance of low-voltage exterior lighting and holiday  
2 lighting excluding any required power source;

3 (14) electrical work performed at a business that  
4 operates:

5 (A) a chemical plant, petrochemical plant,  
6 refinery, natural gas plant, natural gas treating plant, pipeline,  
7 or oil and gas exploration and production operation by a person who  
8 works solely for and is employed by that business; or

9 (B) a chemical plant, petrochemical plant,  
10 refinery, natural gas plant, or natural gas treatment plant by a  
11 person who under a contract of at least 12 months' duration performs  
12 electrical work for that plant and:

13 (i) the electrical work is not performed  
14 during new construction as defined by rules adopted under Chapter  
15 151, Tax Code; or

16 (ii) the person is not working for a  
17 contractor that has a principal place of business in another state  
18 or territory of the United States or a foreign country;

19 (15) the installation, maintenance, alteration, or  
20 repair of elevators, escalators, or related equipment, excluding  
21 any required power source, regulated under Chapter 754, Health and  
22 Safety Code;

23 (16) the installation, maintenance, alteration, or  
24 repair of equipment or network facilities provided or utilized by a  
25 cable operator, as that term is defined by 47 U.S.C. Section 522, as  
26 amended;

27 (17) the location, design, construction, extension,

1 maintenance, and installation of on-site sewage disposal systems in  
2 accordance with Chapter 366, Health and Safety Code, or an on-site  
3 sewage facility installer licensed under Chapter 37, Water Code;

4 (18) electrical work performed on a building,  
5 structure, or equipment in agricultural use as defined by Section  
6 11.002, Water Code, other than the processing of an agricultural  
7 commodity;

8 (19) the installation, maintenance, alteration, or  
9 repair of well pumps and equipment in accordance with Chapter 1902;

10 (20) electrical work required for the construction and  
11 assembly of HUD-code manufactured housing or modular housing and  
12 building units, other than the installation of service entrance  
13 conductors, that is performed by a licensed manufacturer or  
14 installer under Chapter 1201 or 1202, as applicable, if work  
15 performed is within the scope of the license as defined by  
16 applicable statutes and administrative rules;

17 (21) work performed by a plumber who holds a license or  
18 endorsement or is registered under Chapter 1301 that is necessary  
19 to install, service, maintain, repair, or replace any type of  
20 plumbing fixture or appliance, as described by Section 1301.002(7),  
21 including a water heater, food disposer, garbage disposal, water  
22 softener, dishwashing machine, and clothes washing machine on  
23 existing electrical circuits only;

24 (22) the maintenance or repair of a residential  
25 appliance by a residential appliance dealer or manufacturer or a  
26 person authorized by a residential appliance dealer or manufacturer  
27 using only components of the same type and ampacity as the original

1 components; ~~and~~

2 (23) the maintenance, alteration, or repair of a  
3 pool-related electrical device by, or pool-related electrical  
4 maintenance performed by, an employee of a municipality on a pool  
5 owned or operated by the municipality; and

6 (24) a person who sells or offers to sell a sign that  
7 requires electrical work or electrical sign work in connection with  
8 the construction or installation of the sign if the person:

9 (A) does not perform that electrical work or  
10 electrical sign work;

11 (B) uses only an electrical contractor or an  
12 electrical sign contractor licensed under this chapter to perform  
13 that work; and

14 (C) provides to the person buying the sign in  
15 writing the name and license number of the electrical contractor or  
16 electrical sign contractor hired to install the sign.

17 SECTION 2. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2015.