

1-1 By: Birdwell, Perry S.B. No. 953  
 1-2 (In the Senate - Filed March 4, 2015; March 9, 2015, read  
 1-3 first time and referred to Committee on Business and Commerce;  
 1-4 April 9, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 9, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 953 By: Seliger

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to an exemption for certain persons who sell signs from the  
 1-22 requirement to be licensed as an electrician.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 1305.003(a), Occupations Code, is  
 1-25 amended to read as follows:

1-26 (a) This chapter does not apply to:

1-27 (1) the installation of electrical equipment in a  
 1-28 ship, watercraft other than a floating building, railway rolling  
 1-29 stock, aircraft, motor vehicle, or recreational vehicle;

1-30 (2) the installation of electrical equipment  
 1-31 underground in a mine and in self-propelled mobile surface mining  
 1-32 machinery and its attendant electrical trailing cable;

1-33 (3) the installation of electrical equipment for  
 1-34 generation, transformation, transmission, or distribution of power  
 1-35 used exclusively to operate railway rolling stock or exclusively  
 1-36 for signaling and communications purposes;

1-37 (4) the installation, maintenance, alteration, or  
 1-38 repair of communications equipment provided by a  
 1-39 telecommunications provider;

1-40 (5) the installation, maintenance, alteration, or  
 1-41 repair of electrical equipment under the exclusive control of an  
 1-42 electric utility, power generation company as defined by Sections  
 1-43 31.002(1) and (10), Utilities Code, electric cooperative, or  
 1-44 municipally owned utility and used for communications or metering,  
 1-45 or for the generation, control, transformation, transmission, and  
 1-46 distribution of electrical energy, and located:

1-47 (A) in a building used exclusively by a utility  
 1-48 or power generation company for those purposes;

1-49 (B) outdoors on property owned or leased by the  
 1-50 utility or power generation company;

1-51 (C) on public highways, streets, roads, or other  
 1-52 public rights-of-way; or

1-53 (D) outdoors by established rights in vaults or  
 1-54 on private property;

1-55 (6) work not specifically regulated by a municipal  
 1-56 ordinance that is performed in or on a dwelling by a person who owns  
 1-57 and resides in the dwelling;

1-58 (7) work involved in the manufacture of electrical  
 1-59 equipment that includes the on-site and off-site manufacturing,  
 1-60 commissioning, testing, calibrating, coordinating,

2-1 troubleshooting, or evaluating of electrical equipment, the  
2-2 repairing or retrofitting of electrical equipment with components  
2-3 of the same ampacity, and the maintenance and servicing of  
2-4 electrical equipment within the equipment's enclosure that is  
2-5 performed by an authorized employee or authorized representative of  
2-6 an electrical equipment manufacturer and limited to the type of  
2-7 products manufactured by the manufacturer;  
2-8 (8) electrical work if:  
2-9 (A) the work is performed by a person who does not  
2-10 engage in electrical work for the public;  
2-11 (B) the work is performed by a person regularly  
2-12 employed as a maintenance person or maintenance electrician for a  
2-13 business; and  
2-14 (C) the electrical work does not involve the  
2-15 installation of electrical equipment during new construction as  
2-16 defined by rules adopted under Chapter 151, Tax Code;  
2-17 (9) the installation, maintenance, alteration, or  
2-18 repair of electrical equipment or associated wiring under the  
2-19 exclusive control of a gas utility and used for communications or  
2-20 metering or for the control, transmission, or distribution of  
2-21 natural gas;  
2-22 (10) thoroughfare lighting, traffic signals,  
2-23 intelligent transportation systems, and telecommunications  
2-24 controlled by a governmental entity;  
2-25 (11) electrical connections supplying heating,  
2-26 ventilation, and cooling and refrigeration equipment, including  
2-27 any required disconnect exclusively for the equipment, if the  
2-28 service is performed by a licensed air conditioning and  
2-29 refrigeration contractor under Chapter 1302;  
2-30 (12) the design, installation, erection, repair, or  
2-31 alteration of Class 1, Class 2, or Class 3 remote control,  
2-32 signaling, or power-limited circuits, fire alarm circuits, optical  
2-33 fiber cables, or communications circuits, including raceways, as  
2-34 defined by the National Electrical Code;  
2-35 (13) landscape irrigation installers, as necessary to  
2-36 perform the installation and maintenance of irrigation control  
2-37 systems, and landscapers, as necessary to perform the installation  
2-38 and maintenance of low-voltage exterior lighting and holiday  
2-39 lighting excluding any required power source;  
2-40 (14) electrical work performed at a business that  
2-41 operates:  
2-42 (A) a chemical plant, petrochemical plant,  
2-43 refinery, natural gas plant, natural gas treating plant, pipeline,  
2-44 or oil and gas exploration and production operation by a person who  
2-45 works solely for and is employed by that business; or  
2-46 (B) a chemical plant, petrochemical plant,  
2-47 refinery, natural gas plant, or natural gas treatment plant by a  
2-48 person who under a contract of at least 12 months' duration performs  
2-49 electrical work for that plant and:  
2-50 (i) the electrical work is not performed  
2-51 during new construction as defined by rules adopted under Chapter  
2-52 151, Tax Code; or  
2-53 (ii) the person is not working for a  
2-54 contractor that has a principal place of business in another state  
2-55 or territory of the United States or a foreign country;  
2-56 (15) the installation, maintenance, alteration, or  
2-57 repair of elevators, escalators, or related equipment, excluding  
2-58 any required power source, regulated under Chapter 754, Health and  
2-59 Safety Code;  
2-60 (16) the installation, maintenance, alteration, or  
2-61 repair of equipment or network facilities provided or utilized by a  
2-62 cable operator, as that term is defined by 47 U.S.C. Section 522, as  
2-63 amended;  
2-64 (17) the location, design, construction, extension,  
2-65 maintenance, and installation of on-site sewage disposal systems in  
2-66 accordance with Chapter 366, Health and Safety Code, or an on-site  
2-67 sewage facility installer licensed under Chapter 37, Water Code;  
2-68 (18) electrical work performed on a building,  
2-69 structure, or equipment in agricultural use as defined by Section

3-1 11.002, Water Code, other than the processing of an agricultural  
3-2 commodity;  
3-3 (19) the installation, maintenance, alteration, or  
3-4 repair of well pumps and equipment in accordance with Chapter 1902;  
3-5 (20) electrical work required for the construction and  
3-6 assembly of HUD-code manufactured housing or modular housing and  
3-7 building units, other than the installation of service entrance  
3-8 conductors, that is performed by a licensed manufacturer or  
3-9 installer under Chapter 1201 or 1202, as applicable, if work  
3-10 performed is within the scope of the license as defined by  
3-11 applicable statutes and administrative rules;  
3-12 (21) work performed by a plumber who holds a license or  
3-13 endorsement or is registered under Chapter 1301 that is necessary  
3-14 to install, service, maintain, repair, or replace any type of  
3-15 plumbing fixture or appliance, as described by Section 1301.002(7),  
3-16 including a water heater, food disposer, garbage disposal, water  
3-17 softener, dishwashing machine, and clothes washing machine on  
3-18 existing electrical circuits only;  
3-19 (22) the maintenance or repair of a residential  
3-20 appliance by a residential appliance dealer or manufacturer or a  
3-21 person authorized by a residential appliance dealer or manufacturer  
3-22 using only components of the same type and ampacity as the original  
3-23 components; ~~and~~  
3-24 (23) the maintenance, alteration, or repair of a  
3-25 pool-related electrical device by, or pool-related electrical  
3-26 maintenance performed by, an employee of a municipality on a pool  
3-27 owned or operated by the municipality; and  
3-28 (24) a person who sells or offers to sell a sign that  
3-29 requires electrical work or electrical sign work in connection with  
3-30 the construction or installation of the sign if the person:  
3-31 (A) does not perform that electrical work or  
3-32 electrical sign work;  
3-33 (B) uses only an electrical contractor or an  
3-34 electrical sign contractor licensed under this chapter to perform  
3-35 that work; and  
3-36 (C) provides to the person buying the sign in  
3-37 writing the name and license number of the electrical contractor or  
3-38 electrical sign contractor hired to install the sign.  
3-39 SECTION 2. This Act takes effect immediately if it receives  
3-40 a vote of two-thirds of all the members elected to each house, as  
3-41 provided by Section 39, Article III, Texas Constitution. If this  
3-42 Act does not receive the vote necessary for immediate effect, this  
3-43 Act takes effect September 1, 2015.

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