

BILL ANALYSIS

C.S.H.B. 4296
By: Schaefer
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that certain requirements make pursuing a career in the plumbing industry difficult and that certain unnecessary restrictions could be removed. C.S.H.B. 4296 seeks to address this issue by waiving certain fee and registration requirements for high school students so that they can receive a tradesman plumber-limited license after taking the required classes and passing the licensing examination, as well as waiving certain continuing education and license renewal fee requirements for a person who teaches plumbing career and technology education classes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Plumbing Examiners in SECTIONS 2, 5, and 6 of this bill.

ANALYSIS

C.S.H.B. 4296 amends the Occupations Code to authorize a person who successfully completes a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program to apply for and take an examination for a license as a tradesman plumber-limited license holder. The bill requires the Texas State Board of Plumbing Examiners to issue the applicable license to such an applicant if the applicant successfully passes the examination. The bill establishes that a student of any age enrolled in a high school is eligible to take such a sequence of courses without registering as a plumber's apprentice, paying any registration fee, or complying with any other requirement of the Plumbing License Law that applies to enrolling or participating in those courses.

C.S.H.B. 4296 requires the plumbing examiners board to develop the courses in the plumbing trade that are offered through a career and technology education program and requires the courses to be approved by the State Board of Education (SBOE). The bill requires the courses to include an appropriate number of hours of classroom instruction and a practical component and authorizes the plumbing examiners board to credit on-the-job training toward meeting the requirements under the practical component. The bill prohibits a person from providing instruction in a career and technology education program under the bill's provisions unless the person is licensed as a master plumber, journeyman plumber, or plumbing inspector. The bill authorizes such a person to provide instruction in a full-time or part-time capacity as an employee, contractor, or volunteer of a high school. The bill authorizes the plumbing examiners board to adopt rules necessary to implement the bill's provisions relating to career and technology education programs for a tradesman plumber-limited license, including procedures to verify a student's successful completion of the sequence of courses.

C.S.H.B. 4296 exempts a person who is employed by, under contract with, or engaged as a volunteer by a school to provide instruction in a career and technology education program under the bill's provisions and who provides meaningful course instruction in the program, as determined under rules adopted by the plumbing examiners board, from the requirement to pay a fee to renew the person's license. The bill authorizes such a person to renew the person's license and any endorsement without complying with certain annual continuing professional education requirements if the person completes the required hours of continuing professional education every three years. The bill authorizes the plumbing examiners board, in consultation with the SBOE, to adopt rules as necessary to verify whether a person qualifies for an exemption from the required renewal fee or from required continuing professional education, including rules providing for obtaining and evaluating written verification from the applicable school of the person's provision of meaningful course instruction in a career and technology education program.

C.S.H.B. 4296 requires the plumbing examiners board to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4296 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute requires the plumbing examiners board to develop the courses in the plumbing trade that are offered through a career and technology education program and sets out requirements for the courses and instructors in the program.

The substitute does not include an authorization for a person's completion of the plumbing education program to be verified by an official high school transcript or equivalent, but the substitute authorizes the plumbing examiners board to adopt procedures to verify a student's successful completion of the sequence of courses.

The substitute revises provisions providing for exemptions from license renewal fee requirements and continuing professional education requirements for a person who provides instruction in an applicable career and technology education program as follows:

- limits the exemptions to persons who provide meaningful course instruction in the program and requires the plumbing examiners board, in consultation with the SBOE, to adopt rules as necessary to verify whether a person qualifies for the exemptions;
- includes as a condition of the exemption from annual continuing professional education requirements that the person completes the required hours of continuing professional education every three years instead; and
- does not specify that the license renewal fee exemption is contingent on written verification from the school but does authorize the plumbing examiners board to adopt rules providing for obtaining and evaluating written verification from the applicable school of the person's provision of meaningful course instruction in a program.

The substitute includes a requirement for the plumbing examiners board to adopt rules necessary to implement the bill's provisions.