

By: Nichols, Buckingham

S.B. No. 871

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the continuation and functions of the Texas State Board
3 of Plumbing Examiners; requiring an occupational license;
4 authorizing a fee.

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

6 SECTION 1. Section 1301.002, Occupations Code, is amended
7 by amending Subdivisions (2), (3), (4), (6), (9), and (10) and
8 adding Subdivision (7-a) to read as follows:

9 (2) "Drain cleaning" [~~cleaner~~] means [~~a person who~~]:

10 (A) installing [~~has completed at least 4,000~~
11 ~~hours working under the supervision of a responsible master plumber~~
12 ~~as a drain cleaner-restricted registrant,~~

13 [~~(B) has fulfilled the requirements of and is~~
14 ~~registered with the board, and~~

15 [~~(C) installs~~] removing [~~removes~~
16 and resetting [~~resets~~] p-traps to eliminate obstructions in
17 building drains and sewers under the supervision of a [~~responsible~~
18 master plumber; or

19 (B) clearing [~~,~~

20 [~~(3) "Drain cleaner-restricted registrant" means a~~
21 ~~person who:~~

22 [~~(A) has worked as a plumber's apprentice under~~
23 ~~the supervision of a responsible master plumber,~~

24 [~~(B) has fulfilled the requirements of and is~~

1 ~~registered with the board; and~~

2 [~~(C) clears~~] obstructions in sewer and drain
3 lines through any code-approved existing opening under the
4 supervision of a [~~responsible~~] master plumber.

5 (4) "Journeyman plumber" means a person licensed under
6 this chapter who:

7 (A) has met the qualifications for registration
8 as a plumber's apprentice or for licensing as a tradesman
9 plumber-limited license holder;

10 (B) has completed at least 8,000 hours working
11 under the supervision of a [~~responsible~~] master plumber;

12 (C) installs, changes, repairs, services, or
13 renovates plumbing or supervises any of those activities under the
14 supervision of a [~~responsible~~] master plumber;

15 (D) has passed the required examination; and

16 (E) has fulfilled the other requirements of the
17 board.

18 (6) "Plumber's apprentice" means a person other than a
19 master plumber, journeyman plumber, or tradesman plumber-limited
20 license holder who:

21 (A) [7] as the person's principal occupation,
22 learns about and assists in the installation of plumbing, including
23 drain cleaning and residential utilities installation;

24 (B) has fulfilled the requirements of and is
25 registered by the board; [7] and

26 (C) works under the supervision of a
27 [responsible] master plumber [~~and the direct supervision of a~~

1 ~~licensed plumber~~].

2 (7-a) "Plumbing contractor" means a person licensed as
3 a plumbing contractor under this chapter who:

4 (A) is a master plumber, or employs a master
5 plumber, for the purpose of offering and performing plumbing work
6 that will be performed or supervised by the master plumber;

7 (B) is authorized to obtain permits for plumbing
8 work;

9 (C) assumes responsibility for plumbing work
10 performed for compensation paid to the person; and

11 (D) has submitted a certificate of insurance as
12 required by Section 1301.3576.

13 (9) "Residential utilities installation"
14 ["Residential utilities installer"] means constructing and
15 installing [a person who:

16 [(A) has completed at least 2,000 hours working
17 under the supervision of a master plumber as a plumber's
18 apprentice,

19 [(B) has fulfilled the requirements of and is
20 registered with the board; and

21 [(C) constructs and installs] yard water service
22 pipng for one-family or two-family dwellings and building sewers
23 under the supervision of a [responsible] master plumber.

24 (10) "Tradesman plumber-limited license holder" means
25 a person who:

26 (A) has completed at least 4,000 hours working
27 under the direct supervision of a journeyman or master plumber as a

1 plumber's apprentice;

2 (B) has passed the required examination;

3 (C) constructs and installs plumbing for
4 one-family or two-family dwellings under the supervision of a
5 ~~[responsible]~~ master plumber; and

6 (D) has fulfilled the other requirements of the
7 board.

8 SECTION 2. Section 1301.003, Occupations Code, is amended
9 to read as follows:

10 Sec. 1301.003. APPLICATION OF SUNSET ACT. The Texas State
11 Board of Plumbing Examiners is subject to Chapter 325, Government
12 Code (Texas Sunset Act). Unless continued in existence as provided
13 by that chapter, the board is abolished and this chapter expires
14 September 1, 2027 ~~[2019]~~.

15 SECTION 3. Section 1301.151(a), Occupations Code, is
16 amended to read as follows:

17 (a) The Texas State Board of Plumbing Examiners consists of
18 nine members appointed by the governor with the advice and consent
19 of the senate as follows:

20 (1) one member who has at least 10 years' practical
21 experience and is licensed as a master plumber;

22 (2) one member who has at least five years' practical
23 experience and is licensed as a journeyman plumber;

24 (3) one member who has at least five years' practical
25 experience and is licensed as a plumbing inspector;

26 (4) one member who is ~~[has been]~~ a plumbing contractor
27 ~~[responsible master plumber for at least five years with at least 10~~

1 ~~years' experience as a licensed journeyman plumber or master~~
2 ~~plumber];~~

3 (5) one member who is a licensed engineer practicing
4 in the field of plumbing engineering;

5 (6) two members who are building contractors with at
6 least five years' contracting experience, one of whom is
7 principally engaged in home building and one of whom is principally
8 engaged in commercial building; ~~and]~~

9 (7) one member who is a licensed plumber; and

10 (8) one member ~~[two members]~~ who represents
11 ~~[represent]~~ the public.

12 SECTION 4. The heading to Section 1301.152, Occupations
13 Code, is amended to read as follows:

14 Sec. 1301.152. ELIGIBILITY OF PUBLIC MEMBER ~~[MEMBERS]~~.

15 SECTION 5. The heading to Section 1301.202, Occupations
16 Code, is amended to read as follows:

17 Sec. 1301.202. CERTAIN PLUMBING EXAMINERS ~~[EXAMINER]~~.

18 SECTION 6. Section 1301.202(a), Occupations Code, is
19 amended to read as follows:

20 (a) If an examination required for the issuance of a
21 license, endorsement, or certificate of registration under this
22 chapter contains a practical component, the ~~[The]~~ board shall
23 employ or contract with one or more plumbing examiners to
24 administer that portion of the examination. ~~[A plumbing examiner~~
25 ~~serves at the will of the board.]~~ A plumbing examiner must:

26 (1) hold a license as a plumber issued under this
27 chapter; and

1 (2) be knowledgeable of this chapter and municipal
2 ordinances relating to plumbing[~~;~~ and
3 ~~[(3) be qualified by experience and training in~~
4 ~~plumbing practice]~~.

5 SECTION 7. Section 1301.203, Occupations Code, is amended
6 to read as follows:

7 Sec. 1301.203. FIELD REPRESENTATIVE; INSPECTIONS.

8 (a) The board shall [~~may~~] employ a field representative to assist
9 the board in enforcing this chapter and rules adopted under this
10 chapter. A field representative must[~~;~~

11 ~~[(1) hold a license as a plumber under this chapter;~~
12 ~~[(2)]~~ be knowledgeable of this chapter and municipal
13 ordinances relating to plumbing[~~;~~ and
14 ~~[(3) be qualified by experience and training in~~
15 ~~plumbing practice]~~.

16 (b) A field representative may:

17 (1) conduct on-site license checks to determine
18 compliance with this chapter;

19 (2) investigate consumer complaints filed under
20 Section 1301.303;

21 (3) assist municipal plumbing inspectors in enforcing
22 this chapter; and

23 (4) [~~issue citations as provided by Section 1301.502;~~
24 ~~and~~

25 ~~[(5)]~~ in the performance of the field representative's
26 other duties under this chapter, check the license, registration,
27 or endorsement of a person regulated by the Texas Department of

1 Licensing and Regulation in accordance with the memorandum of
2 understanding adopted under Section 1301.259 and report any
3 noncompliance to that agency.

4 (c) For an inspection or investigation that involves the
5 quality of plumbing work, including whether the plumbing work
6 complies with any applicable plumbing code requirements, the board
7 shall employ or contract with a person who holds a license as a
8 plumber under this chapter to conduct or assist in the inspection or
9 investigation.

10 SECTION 8. Section 1301.262, Occupations Code, is amended
11 to read as follows:

12 Sec. 1301.262. CODES [~~PLUMBING INSPECTOR CODE~~] OF CONDUCT.

13 (a) The board by rule shall establish a code of conduct for
14 licensed plumbing inspectors. The code of conduct shall require a
15 plumbing inspector to enforce this chapter and board rules in a
16 consistent manner across job sites.

17 (b) The board by rule may establish standards of conduct for
18 a holder of a license, endorsement, or certificate of registration
19 issued under this chapter.

20 SECTION 9. Subchapter E, Chapter 1301, Occupations Code, is
21 amended by adding Sections 1301.263 and 1301.264 to read as
22 follows:

23 Sec. 1301.263. EXAMINATION ADMINISTRATION AND CONTENT. (a)
24 The board shall recognize, prepare, administer, or arrange for the
25 administration of an examination required by this chapter.

26 (b) The board shall determine the minimum requirements and
27 passing score for an examination required by this chapter.

1 (c) If an examination required by this chapter contains a
2 practical component, the practical component must be administered
3 by a plumbing examiner as provided by Section 1301.202.

4 Sec. 1301.264. SUPERVISION RULES; RESPONSIBILITY FOR
5 PLUMBING WORK. (a) The board by rule shall:

6 (1) require that, for each task involved in plumbing,
7 a master plumber:

8 (A) perform the task; or

9 (B) provide general or direct supervision of a
10 less experienced plumber who performs the task;

11 (2) require that each plumber's apprentice and
12 tradesman plumber-limited license holder perform plumbing under
13 the direct or general supervision of a more experienced plumber;

14 (3) specify the plumbing tasks that a plumber's
15 apprentice or tradesman plumber-limited license holder must
16 perform under direct supervision and the plumbing tasks a plumber's
17 apprentice or tradesman plumber-limited license holder must
18 perform under general supervision;

19 (4) specify the amount of classroom training meeting
20 the requirements of Subsection (b), practical plumbing experience,
21 or a combination of that training and experience necessary to:

22 (A) exempt a plumber from the direct supervision
23 requirements under this section; and

24 (B) permit the plumber to perform the plumbing
25 under general supervision;

26 (5) require a plumber, other than a master plumber, to
27 document the plumber's:

1 (A) classroom training that meets the
2 requirements of Subsection (b); and

3 (B) practical plumbing experience; and

4 (6) require the plumbing contractor, and supervising
5 plumber, if any, to assume responsibility for plumbing performed,
6 including the quality of the plumbing and the supervision of less
7 experienced plumbers.

8 (b) Notwithstanding the minimum requirements for a
9 continuing education program or instructor established under this
10 chapter, the board by rule shall establish minimum requirements for
11 classroom training, other than a continuing education program under
12 this chapter, that, if successfully completed and documented by a
13 plumber, the board shall credit toward:

14 (1) the necessary classroom training required to:

15 (A) exempt the plumber from the direct
16 supervision requirements under this section; and

17 (B) permit the plumber to perform specified
18 plumbing tasks under general supervision;

19 (2) the continuing education required under this
20 chapter to renew a license, endorsement, or certificate of
21 registration, as applicable to the plumber; and

22 (3) the eligibility requirements for a license under
23 this chapter, as applicable to the plumber.

24 SECTION 10. Section 1301.302, Occupations Code, is amended
25 to read as follows:

26 Sec. 1301.302. CONTRACT INFORMATION; REQUIRED DOCUMENTS. A
27 written proposal, invoice, or contract relating to plumbing

1 services performed by or under the direction of a plumber licensed
2 under this chapter must contain the name and license number of the
3 plumbing contractor [~~responsible master plumber~~] and the name,
4 mailing address, and telephone number of the board. The person who
5 performed the services shall give the customer an invoice or
6 completed contract document on completion of the job, regardless of
7 whether the person charged a fee for performing the services.

8 SECTION 11. Sections [1301.351](#)(a), (a-1), and (c),
9 Occupations Code, are amended to read as follows:

10 (a) A person[~~, other than a responsible master plumber,~~] may
11 not perform or offer to perform [~~engage in~~] plumbing for
12 compensation unless:

13 (1) the person holds:

14 (A) a plumbing contractor license; and

15 (B) the proper license, endorsement, or
16 certificate of registration[~~, or endorsement~~] required by this
17 chapter to perform or supervise the performance of plumbing; [and]

18 (2) the person:

19 (A) is employed by a plumbing contractor;

20 (B) performs or supervises the plumbing in the
21 scope of that employment; and

22 (C) holds the proper license, endorsement, or
23 certificate of registration required by this chapter; or

24 (3) the person offers to perform plumbing and
25 contracts with a plumbing contractor for the performance of the
26 plumbing [~~the person's work is supervised and controlled by a~~
27 ~~person licensed under this chapter~~].

1 (a-1) A person may not act as a plumbing contractor
2 [~~responsible master plumber~~] unless the person holds the
3 appropriate license and meets the applicable requirements [~~for a~~
4 ~~responsible master plumber~~] under this chapter.

5 (c) A plumbing contractor [~~license holder~~] who is
6 supervising and controlling [~~under Subsection (a)(2)~~] the work of a
7 person engaged in the business of plumbing in the construction of a
8 new one-family or two-family dwelling in an unincorporated area of
9 the state must have training and management responsibility for, and
10 shall review and inspect, the person's work. The plumbing
11 contractor [~~license holder~~] is not required to provide continuous
12 or uninterrupted on-the-job oversight of the person's work.

13 SECTION 12. Subchapter G, Chapter 1301, Occupations Code,
14 is amended by adding Section 1301.3515 to read as follows:

15 Sec. 1301.3515. CRIMINAL HISTORY RECORD INFORMATION FOR
16 LICENSE ISSUANCE. (a) The board shall require that an applicant
17 for a license submit a complete and legible set of fingerprints, on
18 a form prescribed by the board, to the board or to the Department of
19 Public Safety for the purpose of obtaining criminal history record
20 information from the Department of Public Safety and the Federal
21 Bureau of Investigation.

22 (b) The board may not issue a license to a person who does
23 not comply with the requirement of Subsection (a).

24 (c) The board shall conduct a criminal history record
25 information check of each applicant for a license using
26 information:

27 (1) provided by the individual under this section; and

1 (2) made available to the board by the Department of
2 Public Safety, the Federal Bureau of Investigation, and any other
3 criminal justice agency under Chapter 411, Government Code.

4 (d) The board may:

5 (1) enter into an agreement with the Department of
6 Public Safety to administer a criminal history record information
7 check required under this section; and

8 (2) authorize the Department of Public Safety to
9 collect from each applicant the costs incurred by the Department of
10 Public Safety in conducting the criminal history record information
11 check.

12 SECTION 13. Subchapter G, Chapter 1301, Occupations Code,
13 is amended by adding Section 1301.3542 to read as follows:

14 Sec. 1301.3542. CAREER AND TECHNOLOGY EDUCATION PROGRAM FOR
15 TRADESMAN PLUMBER-LIMITED LICENSE; INSTRUCTORS. (a) The board may
16 credit an applicant who submits an application under Section
17 1301.354(b) with a number of hours determined by board rule against
18 the number of hours of work experience required to take an
19 examination under that section, if the applicant successfully
20 completes a coherent sequence of courses in the plumbing trade that
21 are offered through a career and technology education program in
22 accordance with Subchapter F, Chapter 29, Education Code.

23 (b) A student of any age enrolled in a high school is
24 eligible to take the sequence of courses described by Subsection
25 (a) without registering as a plumber's apprentice or paying any
26 registration fee. A person who is no longer enrolled in a high
27 school shall comply with the requirements of this chapter related

1 to the person's eligibility to apply for and take an examination for
2 a license issued under this chapter, including any registration or
3 fee requirements.

4 (c) The board shall develop the courses described by
5 Subsection (a). The courses must be approved by the State Board of
6 Education.

7 (d) The courses must include an appropriate number of hours
8 of classroom instruction and a practical component. The board may
9 credit on-the-job training toward meeting the requirements under
10 the practical component.

11 (e) A person may not provide instruction in a career and
12 technology education program described by this section unless the
13 person is licensed under this chapter as a master plumber,
14 journeyman plumber, or plumbing inspector.

15 (f) A person described by Subsection (e) may provide the
16 instruction in a full-time or part-time capacity as an employee,
17 contractor, or volunteer of a high school.

18 (g) The board may adopt rules necessary to implement this
19 section, including procedures to verify a student's successful
20 completion of the sequence of courses described by Subsection (a).

21 SECTION 14. Section 1301.3575, Occupations Code, is amended
22 to read as follows:

23 Sec. 1301.3575. REGISTRATION OF PLUMBER'S APPRENTICES
24 ~~[CERTAIN PERSONS]~~. The board shall register a person who complies
25 with this chapter as a ~~[drain cleaner, drain cleaner-restricted~~
26 ~~registrant, residential utilities installer, or]~~ plumber's
27 apprentice.

1 SECTION 15. Section 1301.3576, Occupations Code, is amended
2 to read as follows:

3 Sec. 1301.3576. CERTIFICATE OF INSURANCE [~~AND TRAINING~~] FOR
4 PLUMBING CONTRACTOR [~~RESPONSIBLE MASTER PLUMBER~~]. Before a
5 plumbing contractor offers or performs plumbing [~~master plumber~~
6 ~~works as a responsible master plumber~~], the plumbing contractor
7 [~~master plumber~~] must[+]

8 [(1)] provide the board with a certificate of
9 insurance that meets the requirements of Section 1301.552[+ and

10 [(2) ~~present evidence satisfactory to the board of~~
11 ~~successful completion of a training program approved or~~
12 ~~administered by the board regarding the laws and rules applicable~~
13 ~~to the operation of a plumbing business in this state~~].

14 SECTION 16. Subchapter G, Chapter 1301, Occupations Code,
15 is amended by adding Sections 1301.3581 and 1301.360 to read as
16 follows:

17 Sec. 1301.3581. RECIPROCITY. (a) The board may issue a
18 license, endorsement, or certificate of registration under this
19 chapter for an applicant who holds a similar license, endorsement,
20 or certificate issued by another jurisdiction.

21 (b) An applicant under this section must:

22 (1) apply in the same manner and form as any other
23 applicant under this chapter; and

24 (2) provide the board with documents and other
25 evidence that substantiate the applicant's qualifications.

26 (c) An applicant for a license, endorsement, or certificate
27 of registration issued under this section may not be required to

1 undergo an examination to obtain the license, endorsement, or
2 certificate if the applicant has held an equivalent license,
3 endorsement, or certificate in another jurisdiction for at least
4 two years. The board may determine whether a license, endorsement,
5 or certificate issued by another jurisdiction is equivalent to a
6 license, endorsement, or certificate issued under this chapter.

7 Sec. 1301.360. TEMPORARY LICENSE. (a) The board by rule
8 may provide for the issuance of a temporary license, endorsement,
9 or certificate of registration to an applicant who:

10 (1) submits an application on a form prescribed by the
11 board;

12 (2) meets preliminary qualifications established by
13 board rule; and

14 (3) pays any required fees.

15 (b) A temporary license holder is subject to this chapter
16 and rules adopted under this chapter.

17 SECTION 17. Section 1301.401, Occupations Code, is amended
18 to read as follows:

19 Sec. 1301.401. [~~ANNUAL~~] RENEWAL REQUIRED. (a) A license
20 or certificate of registration under this chapter is valid for one
21 or two years as determined by board rule [year]. On payment of the
22 required fee, a license may be renewed [~~annually~~].

23 (b) The board by rule shall establish the requirements for
24 renewing a license, endorsement, or certificate of registration
25 under this chapter and may adopt a system under which licenses,
26 endorsements, and certificates of registration [~~registrations~~]
27 expire on various dates during the year.

1 (c) An endorsement issued under Section 1301.356,
2 1301.3565, or 1301.357 expires on the date the master plumber or
3 journeyman plumber license of the endorsement holder expires. Any
4 continuing education requirement established by rule and
5 applicable to an endorsement issued under this chapter must be
6 completed before the endorsement holder may renew the endorsement.

7 SECTION 18. Sections 1301.404(a), (c), and (d), Occupations
8 Code, are amended to read as follows:

9 (a) The board by rule shall establish:

10 (1) minimum curriculum standards for [~~recognize,~~
11 ~~approve, and administer~~] continuing education programs and courses
12 for persons who hold a license [~~licenses~~] or endorsement issued
13 [endorsements] under this chapter; and

14 (2) minimum qualifications for an instructor of the
15 continuing education programs and courses described by Subdivision
16 (1).

17 (c) The board shall approve:

18 (1) a program or course that meets the minimum
19 curriculum standards established by the board under Subsection (a);
20 and

21 (2) an instructor who meets the minimum qualifications
22 established by the board under Subsection (a) [~~by rule shall adopt~~
23 ~~the criteria for the continuing professional education~~].

24 (d) A person may receive credit for participating in a
25 continuing professional education program or course only if the
26 program or course is approved by the [~~provided:~~

27 [~~(1) by an individual, business, or association~~

1 ~~approved by the board; and~~

2 ~~[(2) according to criteria adopted by the] board.~~

3 SECTION 19. Section 1301.405, Occupations Code, is amended
4 to read as follows:

5 Sec. 1301.405. ~~[MANDATORY]~~ TRAINING FOR PLUMBER'S
6 APPRENTICE ~~[DRAIN CLEANER, DRAIN CLEANER-RESTRICTED REGISTRANT,~~
7 ~~AND RESIDENTIAL UTILITIES INSTALLER]~~. The board by rule may
8 establish continuing education requirements for persons ~~[(a) To~~
9 ~~renew the certificate of registration, a person]~~ who hold ~~[holds]~~ a
10 certificate of registration under this chapter as a plumber's
11 apprentice ~~[drain cleaner, drain cleaner-restricted registrant, or~~
12 ~~residential utilities installer must annually complete at least six~~
13 ~~hours of approved training that includes training in health and~~
14 ~~safety requirements, board-approved plumbing codes, and water~~
15 ~~conservation].~~

16 ~~[(b) A person may receive credit for participating in a~~
17 ~~training program only if the program is provided.~~

18 ~~[(1) by a person approved by the board; and~~

19 ~~[(2) according to criteria adopted by the board.~~

20 ~~[(c) The board by rule may exempt certain persons from the~~
21 ~~requirements of this section if the board determines that the~~
22 ~~exemption is in the public interest.]~~

23 SECTION 20. The heading to Subchapter I, Chapter 1301,
24 Occupations Code, is amended to read as follows:

25 SUBCHAPTER I. DISCIPLINARY ACTION ~~[PROCEDURES]~~

26 SECTION 21. Section 1301.452, Occupations Code, is amended
27 to read as follows:

1 Sec. 1301.452. GROUNDS FOR DISCIPLINARY ACTION. [~~(a)~~] A
2 person is subject to disciplinary action under Section 1301.451 if
3 the person violates this chapter, an order issued by the board, or a
4 board rule. A violation of this chapter includes:

5 (1) attempting to obtain or obtaining a license,
6 endorsement, or registration through [~~error or~~] fraud;

7 (2) wilfully, negligently, or arbitrarily violating a
8 municipal rule or ordinance that regulates sanitation, drainage, or
9 plumbing;

10 (3) making a misrepresentation of services provided or
11 to be provided;

12 (4) making a false promise with the intent to induce a
13 person to contract for a service; [~~or~~]

14 (5) employing a person who does not hold a license or
15 endorsement or who is not registered to engage in an activity for
16 which a license, endorsement, or certificate of registration is
17 required under this chapter;

18 (6) performing plumbing without holding the proper
19 license, endorsement, or certificate of registration required by
20 this chapter;

21 (7) offering to perform or performing plumbing for
22 compensation without:

23 (A) holding a plumbing contractor license;

24 (B) being employed by a plumbing contractor and
25 acting in the scope of that employment; or

26 (C) contracting with a plumbing contractor to
27 perform the offered plumbing;

1 (8) performing plumbing in violation of a plumbing
2 code adopted under Section 1301.255; or

3 (9) failing to supervise plumbing as required by this
4 chapter or board rule.

5 ~~[(b) Retesting procedures may be used to determine whether~~
6 ~~grounds exist for suspension or revocation of a license,~~
7 ~~endorsement, or registration due to incompetence or a wilful~~
8 ~~violation by a person licensed under this chapter.]~~

9 SECTION 22. Section 1301.502(a), Occupations Code, is
10 amended to read as follows:

11 (a) A ~~[field representative,~~ water district plumbing
12 inspector~~]~~ or, within the jurisdiction of the municipality,
13 municipal plumbing inspector may issue a citation to a person who
14 engages in conduct described by Section 1301.508.

15 SECTION 23. Section 1301.551(g), Occupations Code, is
16 amended to read as follows:

17 (g) A ~~[responsible master plumber,~~ plumbing contractor~~]~~
18 or other person who is required to obtain a permit under this
19 section is not required to pay a plumbing registration fee or
20 administrative fee in a municipality or any other political
21 subdivision.

22 SECTION 24. Section 1301.552, Occupations Code, is amended
23 to read as follows:

24 Sec. 1301.552. CERTIFICATE OF INSURANCE FOR PLUMBING PERMIT
25 IN POLITICAL SUBDIVISION. A political subdivision that requires a
26 plumbing contractor ~~[responsible master plumber]~~ or an agent of a
27 plumbing contractor ~~[responsible master plumber]~~ to obtain a permit

1 before performing plumbing in the political subdivision shall
2 verify through the board's Internet website, or by contacting the
3 board by telephone, that the plumbing contractor [~~responsible~~
4 ~~master plumber~~] has on file with the board a certificate of
5 insurance. The certificate of insurance must:

6 (1) be written by an insurer authorized to engage in
7 the business of insurance in this state or an eligible surplus lines
8 insurer under Chapter 981 [~~, as defined by Section 981.002~~],
9 Insurance Code;

10 (2) provide for commercial general liability
11 insurance for the plumbing contractor [~~responsible master plumber~~]
12 for a claim for property damage or bodily injury, regardless of
13 whether the claim arises from negligence or on a contract; and

14 (3) provide coverage of not less than \$300,000 for all
15 claims arising in a one-year period.

16 SECTION 25. Section 372.0035(h), Health and Safety Code, is
17 amended to read as follows:

18 (h) Within [~~A field representative of the Texas State Board~~
19 ~~of Plumbing Examiners or, within~~] the jurisdiction of a
20 municipality, a municipal plumbing inspector may issue a citation
21 to a person who violates this section.

22 SECTION 26. The following provisions of the Occupations
23 Code are repealed:

24 (1) Section 1301.002(9-a);

25 (2) Section 1301.351(a-2);

26 (3) Section 1301.356(c);

27 (4) Section 1301.3565(c);

- 1 (5) Section [1301.357\(c\)](#);
- 2 (6) Section [1301.358](#); and
- 3 (7) Section [1301.502\(b\)](#).

4 SECTION 27. Notwithstanding any other provision of this
5 Act:

6 (1) the authorization of a person holding a
7 designation on the effective date of this Act to act as a
8 responsible master plumber continues in effect until September 1,
9 2022;

10 (2) a person is not required to hold a plumbing
11 contractor license to perform or offer to perform plumbing for
12 compensation until September 1, 2022; and

13 (3) a person holding a designation to act as a
14 responsible master plumber on the effective date of this Act may
15 apply at no cost to the person for a plumbing contractor license
16 until September 1, 2022, and after September 1, 2022, if the person
17 applies for a plumbing contractor license, the person shall pay any
18 fee required by law for the plumbing contractor license.

19 SECTION 28. The changes in law made by this Act to the
20 qualifications of the members of the Texas State Board of Plumbing
21 Examiners do not affect the entitlement of a member serving on the
22 board immediately before the effective date of this Act to continue
23 to serve for the remainder of the member's term. As the terms of
24 board members expire, the governor shall appoint or reappoint a
25 member who has the qualifications required for a member under
26 Section [1301.151](#), Occupations Code, as amended by this Act.

27 SECTION 29. (a) Not later than:

1 (1) September 1, 2023, the Texas State Board of
2 Plumbing Examiners shall obtain criminal history record
3 information using a person's name, date of birth, and other
4 alphanumeric identifiers on each person who:

5 (A) on the effective date of this Act holds a
6 license issued under Chapter 1301, Occupations Code; and

7 (B) did not undergo a criminal history record
8 information check based on the person's name or fingerprints on
9 submission of the person's initial license application; and

10 (2) September 1, 2025, the Texas State Board of
11 Plumbing Examiners shall obtain criminal history record
12 information using a person's fingerprints on each person who:

13 (A) on the effective date of this Act holds a
14 license issued under Chapter 1301, Occupations Code; and

15 (B) did not undergo a criminal history record
16 information check based on the person's fingerprints on submission
17 of the person's initial license application.

18 (b) The Texas State Board of Plumbing Examiners may suspend
19 the license of a person who holds a license under Chapter 1301,
20 Occupations Code, who does not comply with a request by the board to
21 provide information or fingerprints, in a form and manner
22 prescribed by the board, that would enable the board to obtain
23 criminal history record information as required by this section.

24 SECTION 30. Notwithstanding Section 1301.003, Occupations
25 Code, it is the intent of the legislature in enacting this Act to
26 amend Chapter 1301, Occupations Code, as that chapter was continued
27 in existence by Executive Order No. GA-06.

1 SECTION 31. This Act takes effect immediately if it
2 receives a vote of two-thirds of all the members elected to each
3 house, as provided by Section 39, Article III, Texas Constitution.
4 If this Act does not receive the vote necessary for immediate
5 effect, this Act takes effect September 1, 2021.