

BILL ANALYSIS

H.B. 1845
By: Metcalf
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Like many industries, the water and wastewater utility sector is struggling to maintain its workforce. In 2022, the Texas Commission on Environmental Quality (TCEQ) reported that two-thirds of all licensed utility operators in Texas will be able to retire by 2025, which would only leave about 10,000 operators in the entire state. In 2021, Texas had approximately 1,000 operators enter the sector, and if that pattern continues, we are at risk of a significant operator deficit.

The industry needs a larger workforce in order to meet the needs of a growing population that puts increasing pressure on the state's utility systems. H.B. 1845 seeks to help remove barriers of entry to the water and wastewater utility sector by requiring the TCEQ to establish a provisional certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional wastewater or public water system operator under certain conditions.

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 Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

H.B. 1845 amends the Water Code to require the Texas Commission on Environmental Quality (TCEQ), in adopting educational attainment standards associated with the issuance of a Class D license for wastewater operators or public water system operators, to establish by rule a provisional certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional operator if the following conditions are satisfied:

- the person has completed all TCEQ-required training associated with the license;
- the person has passed any TCEQ-required examinations associated with the license; and
- the person acts under the direct supervision of a license holder.

EFFECTIVE DATE

September 1, 2023.