

AN ACT

relating to the regulation of water well drillers and water well pump installers.

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

SECTION 1. Section 1901.051(a), Occupations Code, is amended to read as follows:

(a) The department [~~, with the advice of the council,~~] shall provide for the examination of license applicants [~~prepare licensing examinations~~].

SECTION 2. Section 1901.155, Occupations Code, is amended to read as follows:

Sec. 1901.155. LICENSE EXPIRATION [~~, RENEWAL~~]. [~~(a)~~] A license issued under this chapter is valid for one or two years as determined by commission rule [~~expires annually. On or before the license expiration date, a license holder must pay an annual renewal fee to the department~~].

SECTION 3. Section 1901.201, Occupations Code, is amended to read as follows:

Sec. 1901.201. EXAMINATION. The department may prepare, recognize, administer, or arrange for the administration of an examination required [~~shall offer examinations for a license~~] under this chapter.

SECTION 4. Section 1901.202(a), Occupations Code, is amended to read as follows:

1 (a) The department shall ensure that examinations are
2 designed [~~design written examinations~~] to disqualify a person who
3 lacks the necessary knowledge of drilling, of completion and
4 plugging methods and techniques, and of groundwater formations to
5 the extent that drilling by the person would create a serious risk
6 of polluting fresh water.

7 SECTION 5. Section 1902.051(a), Occupations Code, is
8 amended to read as follows:

9 (a) The department [~~, with the advice of the council,~~] shall
10 provide for the examination of license applicants [~~prepare~~
11 ~~licensing examinations~~].

12 SECTION 6. Section 1902.155, Occupations Code, is amended
13 to read as follows:

14 Sec. 1902.155. LICENSE EXPIRATION [~~, RENEWAL~~]. [~~(a)~~] A
15 license issued under this chapter is valid for one or two years as
16 determined by commission rule [~~expires annually. On or before the~~
17 ~~license expiration date, a license holder must pay an annual~~
18 ~~renewal fee to the department~~].

19 SECTION 7. Section 1902.201, Occupations Code, is amended
20 to read as follows:

21 Sec. 1902.201. EXAMINATION. The department may prepare,
22 recognize, administer, or arrange for the administration of an
23 examination required [~~shall offer examinations for a license~~] under
24 this chapter.

25 SECTION 8. Section 1902.202, Occupations Code, is amended
26 to read as follows:

27 Sec. 1902.202. CONTENTS OF EXAMINATION. The department

1 shall ensure that examinations are designed [~~design written~~
2 ~~examinations~~] to disqualify a person who lacks the knowledge of
3 pump installation to the extent that pump installation by the
4 person would create a serious risk of polluting fresh water.

5 SECTION 9. The following provisions of the Occupations Code
6 are repealed:

- 7 (1) Section 1901.054;
- 8 (2) Section 1901.203;
- 9 (3) Section 1901.204;
- 10 (4) Section 1902.054; and
- 11 (5) Section 1902.203.

12 SECTION 10. Not later than January 1, 2024, the Texas
13 Commission of Licensing and Regulation shall adopt rules to
14 implement the changes in law made by this Act to Chapters 1901 and
15 1902, Occupations Code.

16 SECTION 11. Sections 1901.155 and 1902.155, Occupations
17 Code, as amended by this Act, apply only to a license issued under
18 Chapter 1901 or 1902, Occupations Code, that expires on or after
19 January 1, 2024. A license issued under Chapter 1901 or 1902,
20 Occupations Code, that expires before January 1, 2024, is governed
21 by the law in effect immediately before the effective date of this
22 Act, and the former law is continued in effect for that purpose.

23 SECTION 12. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3744 was passed by the House on May 2, 2023, by the following vote: Yeas 131, Nays 14, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3744 was passed by the Senate on May 24, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor