

BILL ANALYSIS

Senate Research Center
77R5549 SMH-D

S.B. 1015
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Natural Resources
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DIGEST AND PURPOSE

Under current Texas law, vendors of liquified propane gas (LPG) cylinders are categorized as category “P” licensees. Such a licensee is authorized to engage in the operation of a portable cylinder exchange service, where the sale of LP-gas is within a portable cylinder with a capacity not to exceed 21 pounds; the cylinders are not filled on site; and no other LPG activity requiring a license is conducted. The licensee is required to have a designated representative to the Texas Railroad Commission (commission) and an individual actively supervising the operation on site who has demonstrated to the commission, through an examination prepared and administered by the commission, that the supervisor has a working knowledge of the safety requirements and penalties of the applicable statutes. Each employee of a licensee in LPG-related activities is also required to pass a commission-administered examination. Currently, there are no follow-up procedures or examinations and no manual containing standard operating procedures.

Additionally, each category “P” licensee is required to carry workers’ compensation insurance or an appropriate alternative for employees who are involved in the sale of portable LPG cylinders. S.B. 1015 removes the site manager licensing requirement from the regulations governing category “P” licensees. The bill also provides that distributors and suppliers, who hold category “E” licenses, are responsible for preparing or obtaining a standard operating procedures manual to supply to category “P” sites and for training retail site representatives. S.B. 1015 also eliminates the requirement that category “P” licensees carry workers’ compensation coverage particular to the sale of LPG cylinders.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 113.002(12), Natural Resources Code, to redefine “representative.”

SECTION 2. Amends Sections 113.087(c), (e), (f), and (h), Natural Resources Code, as follows:

(c) Adds language to require each category “E” licensee who provides portable cylinders to a category “P” licensee to meet certain requirements. Makes a conforming change.

(e) Adds language to provide that no licensee may employ or otherwise utilize any person as a representative to the Railroad Commission of Texas, nor as a supervisor or employee in LPG-related activities, unless and until the person has qualified by satisfactory completion of the examination or training requirements, as applicable, established by this section.

(f) Makes conforming changes.

(h) Makes conforming changes.

SECTION 3. Amends Section 113.097(f), Natural Resources Code, to make a conforming change.

SECTION 4. Effective date: September 1, 2001.