

## **BILL ANALYSIS**

Senate Research Center  
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C.S.H.B. 796  
By: Thompson, Senfronia (Garcia)  
Business & Commerce  
5/15/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Electricians in Texas are required to have a license to do electrical work. Journeyman linemen who work for utilities are not required to have a license to do lineman work as long as they work for the utility because utilities are exempt from these licensing requirements. Increasingly, some private industries now have their own substation, distribution and/or transmission facilities, but work on these facilities requires a license. Workers who seek to work as journeyman linemen in these private industry settings may seek licensing as an electrician, but face two problems under current law in securing a license for this work.

First, to be eligible to take the test for an electrician's license, an individual must have worked for 7,000 hours under a master electrician. Utilities do not use a master electrician, so linemen cannot meet that requirement. Second, the nature of line work is very different from that of an electrician and involves very different skills and knowledge. Thus, because they are unable to be licensed as electricians, these workers are not able to take advantage of these lineman journeymen opportunities in the private industry.

C.S.H.B. 796 seeks to address this need by defining line work in statute and creating an alternative journeyman license and standard for the individuals performing lineman work in Texas. It does not expand the requirement for licensure for those who are not licensed today. It simply provides an opportunity for those who wish to broaden their skills and economic opportunity.

C.S.H.B. 796 amends current law relating to the licensing of a journeyman lineman.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the executive director of the Texas Department of Licensing and Regulation (executive director) is modified in SECTION 2 (Section 1305.102, Occupations Code) of this bill.

Rulemaking authority is expressly granted to the executive director in SECTION 5 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1305.002, Occupations Code, by redesignating existing Subdivision (12) as Subdivision (11-a) and adding a new Subdivision (12), to define "journeyman lineman" to mean an individual who engages in electrical work involving the maintenance and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation for further distribution.

SECTION 2. Amends Section 1305.102(a), Occupations Code, to require the executive director of the Texas Department of Licensing and Regulation (executive director) to adopt rules for the licensing of electricians, sign electricians, electrical sign contractors, electrical contractors, journeyman linemen, residential appliance installers, and residential appliance installation contractors as prescribed by this chapter (Electricians).

SECTION 3. Amends Subchapter D, Chapter 1305, Occupations Code, by adding Section 1305.1605, as follows:

Sec. 1305.1605. JOURNEYMAN LINEMAN. (a) Requires an applicant for a license as a journeyman lineman to:

(1) have at least 7,000 hours of training in an apprenticeship program approved by the United States Department of Labor or 3-1/2 years of experience as a journeyman lineman for an electric utility, electric cooperative, municipally owned utility, or electrical contractor in this state; and

(2) pass a journeyman lineman examination administered under this chapter.

(b) Provides that a journeyman lineman license is not required for:

(1) a person performing work exempt under Section 1305.003(a)(5) (relating to exempting certain work on certain electrical equipment) ; or

(2) a person who:

(A) is performing journeyman lineman work;

(B) possesses a journeyman electrician license; and

(C) is employed by an institution of higher education, as defined by Section 61.003 (Definitions), Education Code.

SECTION 4. Amends Section 1305.168(a), Occupations Code, to require the license holder, to renew a master electrician, journeyman electrician, master sign electrician, journeyman sign electrician, maintenance electrician, journeyman lineman, or residential wireman license, to complete four hours of continuing education annually.

SECTION 5. (a) Requires the executive director, not later than January 1, 2014, to adopt rules regulating the licensing of a journeyman lineman, as required by Section 1305.102 (Rules), Occupations Code, as amended by this Act.

(b) Provides that a person is not required to hold a license as a journeyman lineman under Chapter 1305, Occupations Code, as amended by this Act, before June 1, 2014.

SECTION 6. Effective date: upon passage or September 1, 2013.