

## **BILL ANALYSIS**

Senate Research Center  
84R18300 SRS-F

H.B. 930  
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Agriculture, Water & Rural Affairs  
5/19/2015  
Engrossed

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

The Texas Department of Licensing and Regulation (TDLR) is charged with licensing water well drillers and water well pump installers and ensuring that the drillers and installers are qualified to conduct their work in accordance with established standards that protect the integrity of the state's water supply. Interested parties note that the work of drillers and pump installers is complex and diverse, as they work with a variety of wells and pumps, and that certain changes in law are needed for clarity and modernization. The parties also note that TDLR previously oversaw driller and pump installer apprentice programs but recently decided that additional statutory language is needed in order to continue these apprentice programs. H.B. 930 seeks to address these needs.

H.B. 930 amends current law relating to water well drillers and pump installers and authorizes fees.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 2 (Section 1901.153, Occupations Code) and SECTION 5 (Section 1902.153, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1901.152, Occupations Code, as follows:

Sec. 1901.152. New heading: LICENSE APPLICATION. Deletes the designation of Subsection (a). Requires an applicant for a license to submit to the Texas Department of Licensing and Regulation (TDLR), rather than requires that an application for a license contain:

- (1) an application that includes:
  - (A) the applicant's name;
  - (B) Redesignates Subdivision (2) as Paragraph (B);
  - (C) Redesignates Subdivision (3) as Paragraph (C);
  - (D) Redesignates Subdivision (4) as Paragraph (D); and
- (2) application fee.

Deletes existing Subsection (b) requiring an application to pay to TDLR an examination fee at the time the application is submitted.

SECTION 2. Amends Subchapter D, Chapter 1901, Occupations Code, by adding Section 1901.153, as follows:

Sec. 1901.153. APPRENTICE DRILLER PROGRAM. Requires the Texas Commission of Licensing and Regulation (TCLR) by rule to establish an apprentice driller program.

SECTION 3. Amends Section 1901.201, Occupations Code, as follows:

Sec. 1901.201. New heading: EXAMINATION. Requires TDLR to offer examinations for a license under this chapter. Deletes designation of Subsection (a) and text requiring TDLR to offer examinations at least once each year.

Deletes Subsection (b) requiring TDLR to offer examinations more frequently if more than 10 persons petition for an additional examination.

SECTION 4. Amends Section 1901.251(b), Occupations Code, as follows:

(b) Requires the driller, not later than the 60th day after the date of the completion or cessation of drilling, deepening, or otherwise altering the well, to deliver, send by first class mail, or provide electronically, rather than to deliver or send by certified mail, a copy of the well log to:

- (1) Makes no change to this subdivision;
- (2) the Texas Commission on Environmental Quality, rather than the Texas Natural Resource Conservation Commission; and
- (3) Makes no change to this subdivision.

SECTION 5. Amends Subchapter D, Chapter 1902, Occupations Code, by adding Section 1902.153, as follows:

Sec. 1902.153. APPRENTICE PUMP INSTALLER PROGRAM. Requires TCLR by rule to establish an apprentice pump installer program.

SECTION 6. Amends Section 1902.201, Occupations Code, as follows:

Sec. 1902.201. New heading: EXAMINATION. Requires TDLR to offer examinations for a license under this chapter. Deletes designation of Subsection (a) and existing text requiring TDLR to offer examinations at least once each month.

Deletes Subsection (b) requiring TDLR to offer examinations more frequently if more than 10 persons petition for an additional examination.

SECTION 7. Requires TCLR, not later than December 1, 2015, to adopt rules to implement the changes in law made by this Act to Chapters 1901 (Water Well Drillers) and 1902 (Water Well Pump Installers), Occupations Code.

SECTION 8. Prohibits TCLR from requiring a person to hold a license or license specialty endorsement as an apprentice driller or apprentice pump installer under Sections 1901.153 and 1902.153, Occupations Code, as added by this Act, before June 1, 2016.

SECTION 9. Effective date: September 1, 2015.