

## **BILL ANALYSIS**

Senate Research Center

H.B. 4296  
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Business & Commerce  
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Engrossed

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

H.B. 4296 amends current law relating to the regulation of plumbing, including the requirements to obtain a tradesman plumber-limited license.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas State Board of Plumbing Examiners (TSBPE) in SECTION 2 (Section 1301.3542, Occupations Code) of this bill.

Rulemaking authority is expressly granted to TSBPE, in consultation with the State Board of Education, in SECTION 5 (Section 1301.407, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1301.002(10), Occupations Code, to redefine "tradesman plumber-limited license holder" as a person who has met certain requirements, including successfully completing a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program, as described by Section 1301.3542, and to make nonsubstantive changes to this subdivision.

SECTION 2. Amends Subchapter G, Chapter 1301, Occupations Code, by adding Section 1301.3542, as follows:

Sec. 1301.3542. CAREER AND TECHNOLOGY EDUCATION PROGRAM FOR TRADESMAN PLUMBER-LIMITED LICENSE; INSTRUCTORS. (a) Authorizes a person who successfully completes a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program under Subchapter F (Career and Technology Education Program), Chapter 29, Education Code, notwithstanding Section 1301.354 (Plumber's Apprentice), to apply for and take an examination for a license as a tradesman plumber-limited license holder. Prohibits the Texas State Board of Plumbing Examiners (TSBPE) from requiring the person to register as a plumber's apprentice, pay any fee, or comply with Section 1301.354 or any other requirement of this chapter (Plumbers) that applies to a person's eligibility to apply for and take the examination.

(b) Provides that a student of any age enrolled in a high school is eligible to take the sequence of courses described by Subsection (a) without registering as a plumber's apprentice, paying any registration fee, or complying with Section 1301.354 or any other requirement of this chapter that applies to enrolling or participating in those courses.

(c) Requires TSBPE, if an applicant described by Subsection (a) successfully passes the examination for a license as a tradesman plumber-limited license holder, to issue the applicant the license.

(d) Requires TSBPE to develop the courses described by Subsection (a). Requires the courses to be approved by the State Board of Education (SBOE).

(e) Requires the courses to include an appropriate number of hours of classroom instruction and a practical component. Authorizes TSBPE to credit on-the-job training toward meeting the requirements under the practical component.

(f) Prohibits a person from providing instruction in a career and technology education program described by this section unless the person is licensed under this chapter as a master plumber, journeyman plumber, or plumbing inspector.

(g) Authorizes a person described by Subsection (f) to provide the instruction in a full-time or part-time capacity as an employee, contractor, or volunteer of a high school.

(h) Authorizes TSBPE to adopt rules necessary to implement this section, including procedures to verify a student's successful completion of the sequence of courses described by Subsection (a).

SECTION 3. Amends Section 1301.401, Occupations Code, as follows:

Sec. 1301.401. New heading: ANNUAL RENEWAL REQUIRED; EXCEPTION. (a) Authorizes a license, except as provided by Subsection (c), rather than authorizing a license, on payment of the required fee, to be renewed annually.

(b) Makes no changes to this subsection.

(c) Provides that a person who is employed by, under contract with, or engaged as a volunteer by a school to provide instruction in a career and technology education program described by Section 1301.3542 and provides meaningful course instruction in the program, as determined under rules adopted under Section 1301.407, is not required to pay a fee to renew the person's license.

SECTION 4. Amends Section 1301.404, Occupations Code, by adding Subsection (g), as follows:

(g) Authorizes a person who is employed by, under contract with, or engaged as a volunteer by a school to provide instruction in a career and technology education program described by Section 1301.3542 and provides meaningful course instruction in the program, as determined under rules adopted under Section 1301.407, to renew the person's license and any endorsement without complying with Subsection (b) if the person completes the hours of continuing professional education required by that subsection every three years.

SECTION 5. Amends Subchapter H, Chapter 1301, Occupations Code, by adding Section 1301.407, as follows:

Sec. 1301.407. PROCEDURES FOR VERIFYING CERTAIN EXEMPTIONS. Authorizes TSBPE, in consultation with SBOE, to adopt rules as necessary to verify whether a person qualifies for an exemption from the required renewal fee, as described by Section 1301.401(c), or an exemption from required continuing professional education, as described by Section 1301.404(g), including rules providing for obtaining and evaluating written verification from the applicable school of the person's provision of meaningful course instruction in a career and technology education program described by Section 1301.3542.

SECTION 6. Requires TSBPE, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement the changes in law made by this Act to Chapter 1301, Occupations Code.

SECTION 7. Effective date: September 1, 2019.