

BILL ANALYSIS

C.S.H.B. 2465

By: Smith

Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties explain that the Texas State Board of Plumbing Examiners was established to protect the public's health and safety by ensuring that plumbing systems are installed properly by qualified individuals. To accomplish its mission, the board licenses and registers plumbing professionals and enforces the Plumbing License Law. The parties contend that, with the creation of new and advanced plumbing systems, new codes and standards should be adopted in Texas to reflect the modernization of the industry. C.S.H.B. 2465 seeks to amend the applicable law to reflect these changes in the industry.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Plumbing Examiners in SECTION 15 of this bill.

ANALYSIS

C.S.H.B. 2465 amends the Occupations Code to change from a master plumber to a responsible master plumber the person under whose supervision a drain cleaner, drain cleaner-restricted registrant, journeyman plumber, and residential utilities installer have worked for purposes of the definition of those terms under the Plumbing License Law. The bill defines "control valve" and "plumbing company" and revises certain defined terms in the Plumbing License Law. The bill establishes that a person employed by a political subdivision to engage in plumbing only within the geographic boundaries of the political subdivision is not required to be licensed under the Plumbing License Law. The bill changes the composition of the Texas State Board of Plumbing Examiners by removing a member who is a plumbing contractor with at least five years' experience and replacing that member with a member who has been a responsible master plumber for at least five years with at least 10 years' experience as a licensed journeyman plumber or master plumber. The bill specifies that the member who is a licensed engineer is a licensed engineer practicing in the field of plumbing engineering.

C.S.H.B. 2465 requires a plumbing examiner employed by the board to hold a license issued under the Plumbing License Law, be knowledgeable of the Plumbing License Law and municipal ordinances relating to plumbing, and be qualified by experience and training in plumbing practice. The bill expands the eligibility requirements of a field representative employed by the board to require the representative to hold a license issued under the Plumbing License Law and to be qualified, as an alternative to being qualified by experience and training in plumbing practice, by experience and training in plumbing inspections. The bill replaces the requirement that the presiding officer of the board or the presiding officer's designee develop an

intra-agency career ladder program and a system of annual performance evaluations based on measurable job tasks with a requirement that the executive director of the board develop the program and system.

C.S.H.B. 2465 requires that the plumbing codes adopted by the board be codes that existed on January 1, 2015, instead of codes that existed on May 31, 2001. The bill also adds to the codes the board is required to adopt the NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes and the NFPA 99 Health Care Facilities Code, each as published by the National Fire Protection Association. The bill removes the authority of the board by rule to adopt later editions of the plumbing codes and replaces that authority with a requirement that, if a code is replaced by a later edition after January 1, 2015, the requirements and standards of the new edition be used in place of the January 1, 2015, edition if the new edition is adopted by the board by rule after the board determines that use of the new edition is in the public interest and consistent with the purposes of the Plumbing License Law. The bill conditions the authority of the board enforcement committee or an employee designated by the enforcement committee to investigate an alleged violation of the Plumbing License Law or a board rule on receiving a written and signed complaint alleging such a violation.

C.S.H.B. 2465 increases from 500 to 1,000 the maximum number of required work experience hours the board is authorized to credit to an applicant for a license as a journeyman plumber or tradesman plumber-limited license holder before the applicant may take an examination if the applicant has completed the classroom portion of a federally approved training program or a program provided by a board-approved provider based on board-approved course materials. The bill requires a person, before taking the examination for a medical gas piping installation endorsement, to complete training in a board-approved training program in the area of medical gas piping installation.

C.S.H.B. 2465 includes a licensed engineer who designs fire sprinklers or plumbing systems among the licensed professional authorized to design a multipurpose residential fire protection sprinkler system for installation. The bill replaces the authorization of a plumbing inspector who meets the requirements of the board to inspect a multipurpose residential fire protection sprinkler installation with a requirement that the plans for a multipurpose residential fire protection sprinkler installation, repair, or replacement be inspected or reviewed by such a plumbing inspector. The bill authorizes a certified fire inspector to inspect or review plans only for the sprinkler portion of a multipurpose residential fire sprinkler installation, repair, or replacement if the certified fire inspector meets or exceeds the NFPA 1031 Standard for Professional Qualifications for Fire Inspector and Plan Examiner and is employed or appointed by a political subdivision or the state. The bill removes the exemption from the requirement to hold a water supply protection specialist endorsement in order to perform the function of such a specialist for a person employed by an electric utility.

C.S.H.B. 2465 revises the mandatory annual continuing professional education requirements for each person holding a license or endorsement under the Plumbing License Law by removing the specification that three of the six hours of continuing professional education required each year that the person holds a license or endorsement be in the subjects of health protection, energy conservation, and water conservation; by including training in the Plumbing License Law, in board rules, and in board-approved plumbing codes; and by specifying that the minimum six hours of continuing professional education per year be approved classroom continuing professional education. The bill changes the methods by which a person is authorized to complete the mandatory continuing professional education by correspondence, as approved by the board, from completion through a correspondence course to completion through a correspondence course book and test book.

C.S.H.B. 2465 revises the annual mandatory training required to renew a certificate of registration as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer

by including training in the Plumbing License Law and board rules, board-approved plumbing codes, health protection, energy conservation, and water conservation; by removing training in health and safety requirements; and by specifying that the minimum six hours of approved training be classroom training. The bill requires a person renewing a certificate of registration for the third renewal and any subsequent renewals as a plumber's apprentice to complete during the year preceding the renewal date at least six hours of approved classroom training that includes training in the Plumbing License Law and board rules, board-approved plumbing codes, and health protection, energy conservation, and water conservation and authorizes such a person to receive credit for participating in the training program only if the program is provided by a person approved by the board and according to criteria adopted by the board. The bill exempts a plumber's apprentice who is enrolled and in good standing in a training program approved by the U.S. Department of Labor, Office of Apprenticeship, from such training requirements. The bill authorizes the board by rule to exempt certain persons from the training requirements if the board determines that the exemption is in the public interest.

C.S.H.B. 2465 includes falsifying a test for an inspection among the actions that constitute a violation of the Plumbing License Law and subject a person to disciplinary action. The bill requires a municipality with more than 5,000 inhabitants to regulate by ordinance or bylaw the material, construction, alteration, and inspection of any pipe, faucet, tank, valve, water heater, or other fixture by or through which a supply of medical gas or medical vacuum is used or carried. The bill excludes the replacement of a bar faucet and the replacement of a urinal from the actions for which such a municipality is required to provide by ordinance or bylaw that a person obtain a permit and requires a replacement for which a person is not required to obtain a municipal permit to comply with current code requirements.

C.S.H.B. 2465 requires the board to adopt rules to implement the bill's provisions as soon as practicable after the bill's effective date.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2465 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 1301.002, Occupations Code, is amended by amending Subdivisions (1-a), (2), (3), (4), (6), (7), (9), (11), and (12) and adding Subdivisions (1-b) and (7-a) to read as follows:

(1-a) "Control valve" means a valve that operates each time water is supplied to, or shut off from, a receptacle or plumbing fixture. The term does not include a stop valve that may be installed in the water supply branch to the control valve.

(1-b) "Executive director" means the executive director of the Texas State Board of Plumbing Examiners.

(2) "Drain cleaner" means a person who:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 1301.002, Occupations Code, is amended by amending Subdivisions (1-a), (2), (3), (4), (6), (9), and (12) and adding Subdivisions (1-b) and (7-a) to read as follows:

(1-a) "Control valve" means a valve that operates each time water is supplied to, or shut off from, a receptacle or plumbing fixture. The term does not include a stop valve that may be installed in the water supply branch to the control valve.

(1-b) "Executive director" means the executive director of the Texas State Board of Plumbing Examiners.

(2) "Drain cleaner" means a person who:

(A) has completed at least 4,000 hours working under the supervision of a responsible master plumber as a drain cleaner-restricted registrant or a tradesman plumber-limited license holder;

(B) has fulfilled the requirements of and is registered with the board; and

(C) installs cleanouts and removes and resets p-traps to eliminate obstructions in building drains and sewers under the supervision of a responsible master plumber.

(3) "Drain cleaner-restricted registrant" means a person who:

(A) has worked as a plumber's apprentice under the supervision of a responsible master plumber;

(B) has fulfilled the requirements of and is registered with the board; and

(C) clears obstructions in sewer and drain lines through any code-approved existing opening under the supervision of a responsible master plumber.

(4) "Journeyman plumber" means a person licensed under this chapter who:

(A) has met the qualifications for registration as a plumber's apprentice or for licensing as a tradesman plumber-limited license holder;

(B) has completed at least 8,000 hours working under the supervision of a responsible master plumber;

(C) installs, changes, repairs, services, or renovates plumbing or supervises any of those activities under the supervision of a responsible master plumber;

(D) has passed the required examination; and

(E) has fulfilled the other requirements of the board.

(6) "Plumber's apprentice" means a person other than a master plumber, journeyman plumber, or tradesman plumber-limited license holder who, as the person's principal occupation, learns about and assists in the installation, repair, and replacement of plumbing, has fulfilled the requirements of and is registered by the board, and works under the supervision of a responsible master plumber and the direct supervision of a licensed plumber.

(7) "Plumbing" means:

(A) a fixture, appurtenance, appliance, or piping, including a disposal system, used to:

(i) supply, distribute, circulate, or recirculate water, other liquid, or gas; [œ]

(A) has completed at least 4,000 hours working under the supervision of a responsible master plumber as a drain cleaner-restricted registrant or a tradesman plumber-limited license holder;

(B) has fulfilled the requirements of and is registered with the board; and

(C) installs cleanouts and removes and resets p-traps to eliminate obstructions in building drains and sewers under the supervision of a responsible master plumber.

(3) "Drain cleaner-restricted registrant" means a person who:

(A) has worked as a plumber's apprentice under the supervision of a responsible master plumber;

(B) has fulfilled the requirements of and is registered with the board; and

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(4) "Journeyman plumber" means a person licensed under this chapter who:

(A) has met the qualifications for registration as a plumber's apprentice or for licensing as a tradesman plumber-limited license holder;

(B) has completed at least 8,000 hours working under the supervision of a responsible master plumber;

(C) installs, changes, repairs, services, or renovates plumbing or supervises any of those activities under the supervision of a responsible master plumber;

(D) has passed the required examination; and

(E) has fulfilled the other requirements of the board.

(6) "Plumber's apprentice" means a person other than a master plumber, journeyman plumber, or tradesman plumber-limited license holder who, as the person's principal occupation, learns about and assists in the installation, repair, and replacement of plumbing, has fulfilled the requirements of and is registered by the board, and works under the supervision of a responsible master plumber and the direct supervision of a licensed plumber.

(ii) eliminate sewage for a personal or domestic purpose; or

(iii) harvest rainwater or reclaimed water to supply a plumbing fixture or appliance or a multipurpose residential fire protection system;

(B) a fixture, appurtenance, appliance, or piping used outside a building to connect the building to:

(i) a supply of water, other liquid, medical gases and vacuum, or other gas on the premises; or

(ii) the main in the street or alley or at the curb;

(C) a fixture, appurtenance, appliance, or piping, including a drain or waste pipe, used to carry wastewater or sewage from or within a building to:

(i) a sewer service lateral at the curb or in the street or alley; or

(ii) a disposal or septic terminal that holds private or domestic sewage; or

(D) the installation, repair, service, or maintenance of a fixture, appurtenance, appliance, or piping described by Paragraph (A), (B), or (C).

(7-a) "Plumbing company" means a business:

(A) registered with the board that employs a responsible master plumber; or

(B) owned by a responsible master plumber.

(9) "Residential utilities installer" means a person who:

(A) has completed at least 2,000 hours working under the supervision of a responsible master plumber as a plumber's apprentice;

(B) has fulfilled the requirements of and is registered with the board; and

(C) [~~constructs and~~] installs, repairs, or replaces yard water service piping or building sewers for one-family or two-family dwellings [~~and building sewers~~] under the supervision of a responsible master plumber.

(11) "Water supply protection specialist" means a person who holds an endorsement issued by the board to engage in:

(A) customer service inspections, as defined by rule of the Texas Commission on Environmental Quality; and

(B) the installation, service, and repair of plumbing associated with the treatment, use,

(7-a) "Plumbing company" means a business that:

(A) is registered with the board;

(B) employs a responsible master plumber;

or

(C) is owned by a responsible master plumber.

(9) "Residential utilities installer" means a person who:

(A) has completed at least 2,000 hours working under the supervision of a responsible master plumber as a plumber's apprentice;

(B) has fulfilled the requirements of and is registered with the board; and

(C) [~~constructs and~~] installs, repairs, or replaces yard water service piping or building sewers for one-family or two-family dwellings [~~and building sewers~~] under the supervision of a responsible master plumber.

and distribution use of rainwater or reclaimed water to supply a plumbing fixture or appliance.

(12) "Water treatment" means a business conducted under contract that requires ability, experience, and skill in analyzing water to determine how to treat influent and effluent water to change or purify the water or to add or remove minerals, chemicals, or bacteria. The term does not include treatment of rainwater or reclaimed water or the repair of systems for rainwater or reclaimed water harvesting to supply a plumbing fixture or appliance. The term includes:

- (A) installing and servicing fixed or portable water treatment equipment in a public or private water treatment system; or
- (B) making connections necessary to install a water treatment system to the potable water system or the sanitary drainage system.

SECTION 2. Section 1301.053(a), Occupations Code, is amended to read as follows:

(a) A person is not required to be licensed under this chapter to perform:

(1) plumbing incidental to and in connection with the business in which the person is employed or engaged if the person:

(A) is regularly employed as or acting as a maintenance person or maintenance engineer; and

(B) does not engage in plumbing for the public;

(2) construction, installation, or maintenance on the premises or equipment of a railroad if the person is an employee of the railroad who does not engage in plumbing for the public;

(3) plumbing if the person is:

(A) employed by a political subdivision to engage in plumbing only within the geographic boundaries of the political subdivision; or

(B) engaged by a public service company to:

(i) ~~(A)~~ lay, maintain, or operate its service mains or lines to the point of measurement; and

(ii) ~~(B)~~ install, change, adjust, repair, remove, or renovate appurtenances,

(12) "Water treatment" means a business conducted under contract that requires ability, experience, and skill in analyzing water to determine how to treat influent and effluent water to change or purify the water or to add or remove minerals, chemicals, or bacteria. The term does not include treatment of rainwater or the repair of systems for rainwater harvesting. The term includes:

- (A) installing and servicing fixed or portable water treatment equipment in a public or private water treatment system; or
- (B) making connections necessary to install a water treatment system to the potable water system or indirectly to the sanitary drainage system.

SECTION 2. Section 1301.053(a), Occupations Code, is amended to read as follows:

(a) A person is not required to be licensed under this chapter to perform:

(1) plumbing incidental to and in connection with the business in which the person is employed or engaged if the person:

(A) is regularly employed as or acting as a maintenance person or maintenance engineer; and

(B) does not engage in plumbing for the public;

(2) construction, installation, or maintenance on the premises or equipment of a railroad if the person is an employee of the railroad who does not engage in plumbing for the public;

(3) plumbing if the person is:

(A) employed by a political subdivision to engage in plumbing only within the geographic boundaries of the political subdivision; or

(B) engaged by a public service company to:

(i) ~~(A)~~ lay, maintain, or operate its service mains or lines to the point of measurement; and

(ii) ~~(B)~~ install, change, adjust, repair, remove, or renovate appurtenances,

equipment, or appliances;
(4) appliance installation and service work, other than installation and service work on water heaters, that involves connecting appliances to existing openings with a code-approved appliance connector if the person performs the work as an appliance dealer or an employee of an appliance dealer; or
(5) water treatment installations, exchanges, services, or repairs, other than the treatment of rainwater or reclaimed water to supply a plumbing fixture or appliance.

SECTION 3. Section 1301.151(a), Occupations Code, is amended.

SECTION 4. Section 1301.202(a), Occupations Code, is amended.

SECTION 5. Section 1301.203(a), Occupations Code, is amended.

SECTION 6. Section 1301.204, Occupations Code, is amended.

SECTION 7. Sections 1301.255(a) and (b), Occupations Code, are amended to read as follows:

(a) The board shall adopt the following ~~[plumbing]~~ codes, as those codes existed on January 1, 2015 ~~[May 31, 2001]~~:

(1) the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials; ~~[and]~~

(2) the International Plumbing Code, as published by the International Code Council;

(3) the NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes, as published by the National Fire Protection Association; and

(4) the NFPA 99 Health Care Facilities Code, as published by the National Fire Protection Association.

(b) If a code described by [The board by rule may adopt later editions of the plumbing codes listed in] Subsection (a) is amended after January 1, 2015, the requirements and standards of the amended code shall be used in place of the January 1, 2015, edition if the amended code is adopted by the board by rule after the board

equipment, or appliances;
(4) appliance installation and service work, other than installation and service work on water heaters, that involves connecting appliances to existing openings with a code-approved appliance connector if the person performs the work as an appliance dealer or an employee of an appliance dealer; or
(5) water treatment installations, exchanges, services, or repairs, other than the treatment of rainwater to supply a plumbing fixture or appliance.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

SECTION 7. Sections 1301.255(a) and (b), Occupations Code, are amended to read as follows:

(a) The board shall adopt the following ~~[plumbing]~~ codes, as those codes existed on January 1, 2015 ~~[May 31, 2001]~~:

(1) the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials; ~~[and]~~

(2) the International Plumbing Code, as published by the International Code Council;

(3) the NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes, as published by the National Fire Protection Association; and

(4) the NFPA 99 Health Care Facilities Code, as published by the National Fire Protection Association.

(b) If a code described by [The board by rule may adopt later editions of the plumbing codes listed in] Subsection (a) is replaced by a later edition after January 1, 2015, the requirements and standards of the new edition shall be used in place of the January 1, 2015, edition if the new edition is adopted by the board by rule after the board

determines that use of the amended code is:
(1) in the public interest; and
(2) consistent with the purposes of this chapter.

SECTION 8. Sections 1301.304(a) and (b), Occupations Code, are amended.

SECTION 9. Section 1301.354, Occupations Code, is amended by adding Subsection (b-2) and amending Subsection (c) to read as follows:

(b-2) The required training under Subsection (b) must include not more than 10 hours per day of hands-on training.

(c) At the applicant's request, the board may credit an applicant under Subsection (b) with up to 1,000 [~~500~~] hours of the work experience required before taking an examination if the applicant has completed the classroom portion of a training program:

- (1) approved by the United States Department of Labor, Office of Apprenticeship; or
- (2) provided by a person approved by the board and based on course materials approved by the board.

No equivalent provision.

SECTION 10. Section 1301.3565, Occupations Code, is amended by amending Subsections (a-1), (b), and (f) and adding Subsection (g) to read as follows:

(a-1) A person may not design a multipurpose residential fire protection sprinkler system for installation under this section unless the person:

- (1) is licensed under this chapter as a master plumber[;] and [~~2~~] holds an endorsement issued under this section; or
- (2) is a licensed engineer who designs fire sprinklers or plumbing systems.

determines that use of the new edition is:
(1) in the public interest; and
(2) consistent with the purposes of this chapter.

SECTION 8. Same as introduced version.

SECTION 9. Section 1301.354(c), Occupations Code, is amended to read as follows:

(c) At the applicant's request, the board may credit an applicant under Subsection (b) with up to 1,000 [~~500~~] hours of the work experience required before taking an examination if the applicant has completed the classroom portion of a training program:

- (1) approved by the United States Department of Labor, Office of Apprenticeship; or
- (2) provided by a person approved by the board and based on course materials approved by the board.

SECTION 10. Section 1301.356, Occupations Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Before a person may take the examination under Subsection (b), the person must complete training in a board-approved training program in the area of medical gas piping installation.

SECTION 11. Section 1301.3565, Occupations Code, is amended by amending Subsections (a-1) and (f) and adding Subsection (g) to read as follows:

(a-1) A person may not design a multipurpose residential fire protection sprinkler system for installation under this section unless the person:

- (1) is licensed under this chapter as a master plumber[;] and [~~2~~] holds an endorsement issued under this section; or
- (2) is a licensed engineer who designs fire sprinklers or plumbing systems.

(b) The board shall issue an endorsement as a multipurpose residential fire protection sprinkler specialist to a person who:

(1) holds the license described by Subsection (a);

(2) applies to the board on a form prescribed by the board;

(3) pays a fee set by the board;

(4) presents evidence satisfactory to the board of successful completion of a training program that includes not more than 10 hours per day of hands-on training, is approved by the board, and [that] provides the training necessary for the proper design and installation of a multipurpose residential fire protection sprinkler system as required by the applicable codes and standards recognized by the state; and

(5) passes an examination required by the board.

(f) A plumbing inspector who meets the requirements of the board shall [may] inspect or review the plans for a multipurpose residential fire protection sprinkler installation, repair, or replacement.

(g) A certified fire inspector may inspect or review plans only for the sprinkler portion of a multipurpose residential fire sprinkler installation, repair, or replacement if the certified fire inspector:

(1) meets or exceeds the NFPA 1031 Standard for Professional Qualifications for Fire Inspector and Plan Examiner; and

(2) is employed or appointed by a political subdivision or this state.

(f) A plumbing inspector who meets the requirements of the board shall [may] inspect or review the plans for a multipurpose residential fire protection sprinkler installation, repair, or replacement.

(g) A certified fire inspector may inspect or review plans only for the sprinkler portion of a multipurpose residential fire sprinkler installation, repair, or replacement if the certified fire inspector:

(1) meets or exceeds the NFPA 1031 Standard for Professional Qualifications for Fire Inspector and Plan Examiner; and

(2) is employed or appointed by a political subdivision or this state.

SECTION 11. Sections 1301.357(b) and (e), Occupations Code, are amended to read as follows:

(b) The board shall issue an endorsement as a water supply protection specialist to a person who:

(1) is licensed under this chapter as a master plumber or journeyman plumber;

(2) applies to the board on a form prescribed by the board;

(3) pays a fee set by the board;

(4) presents evidence satisfactory to the board of successful completion of a certification program that includes not more than 10 hours per day of hands-on training and is approved by the board for water supply protection specialists; and

(5) passes an examination required by the

SECTION 12. Section 1301.357(e), Occupations Code, is amended to read as follows:

board.

(e) A person is not required to hold a water supply protection specialist endorsement if the person is employed by[~~;~~
~~(1)] a political subdivision[~~;~~
~~(2) an electric utility as defined by Section 31.002, Utilities Code].~~~~

(e) A person is not required to hold a water supply protection specialist endorsement if the person is employed by[~~;~~
~~(1)] a political subdivision[~~;~~
~~(2) an electric utility as defined by Section 31.002, Utilities Code].~~~~

SECTION 12. Section 1301.3576, Occupations Code, is amended to read as follows:

Sec. 1301.3576. CERTIFICATE OF INSURANCE AND TRAINING FOR RESPONSIBLE MASTER PLUMBER. Before a master plumber works as a responsible master plumber, the master plumber must:

- (1) provide the board with a certificate of insurance that meets the requirements of Section 1301.552; and
- (2) present evidence satisfactory to the board of successful completion of a training program that includes not more than 10 hours per day of hands-on training and is approved or administered by the board regarding the laws and rules applicable to the operation of a plumbing business in this state.

No equivalent provision.

SECTION 13. Sections 1301.404(b) and (e), Occupations Code, are amended to read as follows:

(b) A person who holds a license or endorsement under this chapter must complete at least six hours of hands-on continuing professional education each year the person holds the license or endorsement to renew the person's license or endorsement. The course must include training in:

- (1) this chapter and board rules;
- (2) board-approved plumbing codes; and
- (3) [~~Three of the six hours must be in the subjects—of]~~ health protection, energy conservation, and water conservation.

(e) A person may complete the continuing professional education requirement of this section through a correspondence course book or test book as approved by the board.

SECTION 13. Sections 1301.404(b) and (e), Occupations Code, are amended to read as follows:

(b) A person who holds a license or endorsement under this chapter must complete at least six hours of approved classroom continuing professional education each year the person holds the license or endorsement to renew the person's license or endorsement. The course must include training in:

- (1) this chapter and board rules;
- (2) board-approved plumbing codes; and
- (3) [~~Three of the six hours must be in the subjects—of]~~ health protection, energy conservation, and water conservation.

(e) A person may complete the continuing professional education requirement of this section through a correspondence course book and test book as approved by the board.

SECTION 14. Section 1301.405(a),

SECTION 14. Section 1301.405(a),

Occupations Code, is amended to read as follows:

(a) To renew the certificate of registration, a person who holds a certificate of registration under this chapter as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer must annually complete at least six hours of approved hands-on training that includes training in:

- (1) this chapter and board rules;
- (2) board-approved plumbing codes; and
- (3) health protection, energy conservation [training in health and safety requirements, board-approved plumbing codes], and water conservation.

SECTION 15. Subchapter H, Chapter 1301, Occupations Code, is amended by adding Section 1301.406 to read as follows:

Sec. 1301.406. MANDATORY TRAINING FOR PLUMBER'S APPRENTICE. (a) To renew the certificate of registration, a person who holds a certificate of registration under this chapter as a plumber's apprentice must annually complete at least six hours of approved hands-on training that includes training in:

(1) this chapter and board rules;
(2) board-approved plumbing codes; and
(3) health protection, energy conservation, and water conservation.

(b) A person may receive credit for participating in a training program only if the program is provided:

(1) by a person approved by the board; and
(2) according to criteria adopted by the board.

(c) A plumber's apprentice who is enrolled in good standing in a training program approved by the United States Department of Labor, Office of Apprenticeship, is exempt from Subsections (a) and (b).

(d) The board by rule may exempt certain persons from the requirements of this section if the board determines that the exemption is in the public interest.

SECTION 16. Section 1301.452(a), Occupations Code, is amended.

Occupations Code, is amended to read as follows:

(a) To renew the certificate of registration, a person who holds a certificate of registration under this chapter as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer must annually complete at least six hours of approved classroom training that includes training in:

- (1) this chapter and board rules;
- (2) board-approved plumbing codes; and
- (3) health protection, energy conservation [training in health and safety requirements, board-approved plumbing codes], and water conservation.

SECTION 15. Subchapter H, Chapter 1301, Occupations Code, is amended by adding Section 1301.406 to read as follows:

Sec. 1301.406. MANDATORY TRAINING FOR PLUMBER'S APPRENTICE. (a) To renew the certificate of registration for the third renewal and any subsequent renewals, a person who holds a certificate of registration under this chapter as a plumber's apprentice must complete during the year preceding the renewal date at least six hours of approved classroom training that includes training in:

(1) this chapter and board rules;
(2) board-approved plumbing codes; and
(3) health protection, energy conservation, and water conservation.

(b) A person may receive credit for participating in a training program only if the program is provided:

(1) by a person approved by the board; and
(2) according to criteria adopted by the board.

(c) A plumber's apprentice who is enrolled and in good standing in a training program approved by the United States Department of Labor, Office of Apprenticeship, is exempt from Subsections (a) and (b).

(d) The board by rule may exempt certain persons from the requirements of this section if the board determines that the exemption is in the public interest.

SECTION 16. Same as introduced version.

SECTION 17. Sections 1301.551(a) and (c), Occupations Code, are amended.

SECTION 17. Same as introduced version.

SECTION 18. The change in law made by this Act to Section 1301.151(a), Occupations Code, does not affect the entitlement of a member serving on the Texas State Board of Plumbing Examiners immediately before the effective date of this Act to continue to serve as a member of the board for the remainder of the member's term. The change in law applies only to a member appointed on or after the effective date of this Act.

SECTION 18. Same as introduced version.

SECTION 19. (a) The changes in law made by this Act apply only to an application for a certificate of registration as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer submitted on or after the effective date of this Act. An application for a certificate of registration submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 19. Same as introduced version.

(b) A person who holds a certificate of registration as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer issued before the effective date of this Act may continue to renew that certificate of registration without complying with the changes in law made by this Act relating to the work requirement under the supervision of a responsible master plumber.

(c) The changes in law made by this Act apply only to an application for a license as a journeyman plumber submitted on or after the effective date of this Act. An application for a license submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

(d) A person who holds a license as a journeyman plumber issued before the effective date of this Act may continue to renew that license without complying with the changes in law made by this Act relating to the work requirement under the supervision of a responsible master plumber.

SECTION 20.

(a) Section 1301.354(b-2), Occupations Code, as added by this Act, applies only to an application for an examination for a journeyman plumber or tradesman plumber-limited license submitted on or after the effective date of this Act. An application for an examination submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

No equivalent provision.

(b) Section 1301.3565(b), Occupations Code, as amended by this Act, applies only to an application for an endorsement as a multipurpose residential fire protection sprinkler specialist submitted on or after the effective date of this Act. An application for an endorsement submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

(c) Section 1301.357(b), Occupations Code, as amended by this Act, applies only to an application for an endorsement as a water supply protection specialist submitted on or after the effective date of this Act. An application for an endorsement submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

(d) Section 1301.3576, Occupations Code, as amended by this Act, applies only to a responsible master plumber training program completed on or after the effective date of this Act. A training program completed before the effective date of this

SECTION 20.

No equivalent provision.

(a) Section 1301.356(b-1), Occupations Code, as added by this Act, applies only to an application for an endorsement to perform medical gas piping installation submitted on or after the effective date of this Act. An application for an endorsement submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

No equivalent provision.

No equivalent provision.

No equivalent provision.

Act is governed by the law in effect on the date the program was completed, and the former law is continued in effect for that purpose.

(e) Section 1301.404(b), Occupations Code, as amended by this Act, applies only to the renewal of a license or endorsement that expires on or after the effective date of this Act. A license or endorsement that expired before the effective date of this Act is governed by the law in effect on the date the license or endorsement expired, and the former law is continued in effect for that purpose.

(f) Section 1301.405(a), Occupations Code, as amended by this Act, applies only to the renewal of a certificate of registration as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer that expires on or after the effective date of this Act. A certificate of registration that expired before the effective date of this Act is governed by the law in effect on the date the certificate of registration expired, and the former law is continued in effect for that purpose.

(g) Section 1301.406, Occupations Code, as added by this Act, applies only to the renewal of a certificate of registration as a plumber's apprentice that expires on or after the effective date of this Act. A certificate of registration that expired before the effective date of this Act is governed by the law in effect on the date the certificate of registration expired, and the former law is continued in effect for that purpose.

SECTION 21. As soon as practicable after the effective date of this Act, the Texas State Board of Plumbing Examiners shall adopt rules necessary to implement Chapter 1301, Occupations Code, as amended by this Act.

SECTION 22. This Act takes effect September 1, 2015.

(b) Section 1301.404(b), Occupations Code, as amended by this Act, applies only to the renewal of a license or endorsement that expires on or after the effective date of this Act. A license or endorsement that expired before the effective date of this Act is governed by the law in effect on the date the license or endorsement expired, and the former law is continued in effect for that purpose.

(c) Section 1301.405(a), Occupations Code, as amended by this Act, applies only to the renewal of a certificate of registration as a drain cleaner, drain cleaner-restricted registrant, or residential utilities installer that expires on or after the effective date of this Act. A certificate of registration that expired before the effective date of this Act is governed by the law in effect on the date the certificate of registration expired, and the former law is continued in effect for that purpose.

(d) Section 1301.406, Occupations Code, as added by this Act, applies only to the renewal of a certificate of registration as a plumber's apprentice that expires on or after the effective date of this Act. A certificate of registration that expired before the effective date of this Act is governed by the law in effect on the date the certificate of registration expired, and the former law is continued in effect for that purpose.

SECTION 21. Same as introduced version.

SECTION 22. Same as introduced version.