

BILL ANALYSIS

C.S.H.B. 3043
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties explain that the original intent of recently enacted legislation creating a journeyman lineman license is being lost in the interpretation of the law and that this interpretation means that certain lineman work has been unintentionally excluded from the scope of the work covered by the license. The parties explain that legislation is needed to clarify current law relating to the licensing and regulation of a journeyman lineman as well as matters relating to the journeyman lineman examination. C.S.H.B. 3043 seeks to address these issues.

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

ANALYSIS

C.S.H.B. 3043 amends the Occupations Code to expand the definition of "journeyman lineman," for purposes of the Texas Electrical Safety and Licensing Act, to include an individual who engages in electrical work involving the installation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation for further distribution and to include among the electrical work in which a journeyman lineman engages specified electrical work associated with the transmission and distribution of electricity from a substation to the point where the electricity enters a building or structure on a customer's premises for further distribution.

C.S.H.B. 3043 requires the executive director of the Texas Department of Licensing and Regulation (TDLR) or the Texas Commission of Licensing and Regulation, as appropriate, after the publication of the National Electrical Safety Code by the Institute of Electrical and Electronics Engineers every five years, to adopt the revised National Electrical Safety Code for purposes of the journeyman lineman examination. The bill requires TDLR to accept, develop, or contract for a journeyman lineman examination that tests an applicant's knowledge of the standards prescribed by the National Electrical Safety Code as adopted by the commission and of the materials and methods used in the installation, maintenance, and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation and from a substation to the point where the electricity enters a building or structure on a customer's premises for further distribution. The bill limits the applicability of these provisions to an examination for a journeyman lineman license administered on or after June 1, 2016, and requires the commission, not later than March 1, 2016, to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3043 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

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 1305.002(12), Occupations Code, is amended to read as follows:

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(12) "Journeyman lineman" means an individual who engages in electrical work involving the installation, maintenance, and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation and from a substation for further distribution.

(12) "Journeyman lineman" means an individual who engages in electrical work involving the installation, maintenance, and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation and from a substation to the point where the electricity enters a building or structure on a customer's premises for further distribution.

SECTION 2. Section 1305.1605(a), Occupations Code, is amended to read as follows:

No equivalent provision.

(a) An applicant for a license as a journeyman lineman must:

- (1) have at least:
 - (A) 7,000 hours of training in an apprenticeship program approved by the United States Department of Labor; or
 - (B) 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 based primarily on information contained in The Lineman's and Cableman's Handbook.

No equivalent provision.

SECTION 2. Section 1305.101(a), Occupations Code, is amended to read as follows:

- (a) The executive director or commission, as appropriate, shall:
 - (1) by rule establish the financial responsibility requirements for electrical

contractors; ~~and~~

(2) after publication of the National Electrical Code by the National Fire Protection Association every three years, adopt the revised National Electrical Code as the electrical code for the state; and

(3) after the publication of the National Electrical Safety Code by the Institute of Electrical and Electronics Engineers every five years, adopt the revised National Electrical Safety Code for purposes of Section 1305.162(e).

No equivalent provision.

SECTION 3. Section 1305.162, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) In addition to the other requirements of this section, the department shall accept, develop, or contract for a journeyman lineman examination that tests an applicant's knowledge of:

(1) materials and methods used in the installation, maintenance, and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation and from a substation to the point where the electricity enters a building or structure on a customer's premises for further distribution; and

(2) the standards prescribed by the National Electrical Safety Code as adopted by the commission.

SECTION 3. **Section 1305.1605(a)**, Occupations Code, as amended by this Act, applies only to an examination for a journeyman lineman license administered on or after the effective date of this Act. An examination for a journeyman lineman license administered before that date is governed by the law in effect on the date the examination was administered, and the former law is continued in effect for that purpose.

No equivalent provision.

SECTION 4. **Section 1305.162(e)**, Occupations Code, as added by this Act, applies only to an examination for a journeyman lineman license administered on or after June 1, 2016. An examination for a journeyman lineman license administered before that date is governed by the law in effect on the date the examination was administered, and the former law is continued in effect for that purpose.

SECTION 5. Not later than March 1, 2016, the Texas Commission of Licensing and Regulation shall adopt rules necessary to implement Sections 1305.101(a)(3) and 1305.162(e), Occupations Code, as added by this Act.

SECTION 4. This Act takes effect
September 1, 2015.

SECTION 6. Same as introduced version.