

BILL ANALYSIS

C.S.H.B. 3885
By: Raney
Energy Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that due to the difficulty in obtaining licenses from the state for the dispensing of liquefied petroleum gas, many retail stores do not sell propane in Texas, which restricts opportunities for Texas consumers to refill at lower prices and at convenient times. Individuals who dispense propane in Texas receive training and certification based on the guidelines established by the Propane Education & Research Council and are required to fulfill licensing requirements through the Railroad Commission of Texas (RRC). The licensing process includes numerous obstacles for a retail employee seeking to obtain a license, making it difficult for retail stores that refill propane cylinders to properly staff and meet customer needs. C.S.H.B. 3885 seeks to address these concerns by requiring the RRC by rule to waive applicable course of instruction, examination, and seminar requirements for an applicant for a license for cylinder filling who meets specified qualifications in order to remove unnecessary licensing barriers and increase retailers' capacity to meet propane demand.

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 Railroad Commission of Texas in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 3885 amends the Natural Resources Code to require the Railroad Commission of Texas by rule to waive applicable course of instruction, examination, and seminar requirements for an applicant for a license for cylinder filling who meets the following qualifications:

- the applicant has completed training consistent with the guidelines established by the Propane Education & Research Council;
- the applicant submits proof of completion of that training;
- the applicant submits an application for that type of license; and
- the applicant pays the applicable original nonrefundable license fee.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3885 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With regard to the requirement that the Railroad Commission of Texas (RRC) waive course of instruction, examination, and seminar requirements for certain applicants, the substitute specifies that the RRC do so by rule and restricts an applicable applicant to an applicant for a license for cylinder filling, whereas the original does not make this specification or restriction.

The substitute does not include provisions in the original that do the following:

- authorize the RRC to waive any license requirement for an applicant who has completed training under guidelines established by the Propane Education & Research Council; and
- authorize an applicant who satisfies licensing and registration provisions to engage in the activities set forth in the Liquefied Petroleum Gas Code just as one who receives a license in Texas.

The substitute changes the bill's effective date from on passage or September 1, 2021, if the bill does not receive the necessary vote for immediate effect to September 1, 2021.