

- SUBJECT:** Requiring the Board of Plumbing Examiners to adopt new codes
- COMMITTEE:** Licensing and Administrative Procedures — committee substitute recommended
- VOTE:** 6 ayes — Wilson, Yarbrough, Flores, J. Moreno, Palmer, A. Reyna  
0 nays  
3 absent — Goolsby, Haggerty, D. Jones
- WITNESSES:** For — Jack D. Burluson, Southern Building Code Congress International; Michael Clack, City of San Antonio Building Inspections Department; Joe Edwards and Charles Harrington, Building Officials Association of Texas; Carroll Pruitt, International Conference of Building Officials; Arthur Sosa, City of Corpus Christi  
  
Against — Stanley J. Briers, International Association of Plumbing and Mechanical Officials; H.D. Johnson, PHCC of San Antonio  
  
On — Robert L. Maxwell, Texas State Board of Plumbing Examiners
- BACKGROUND:** Currently, the Texas State Board of Plumbing Examiners must adopt three plumbing codes: the Uniform Plumbing Code, Southern Standard Plumbing Code, and National Standard Plumbing Code. When the Legislature enacted the Plumbing License Law in 1993, the statute required the board to adopt these codes, but did not give the board authority to adopt updated versions of the codes.  
  
The three major model code organizations have joined with municipal officials to form the International Code Council, which has published the International Plumbing Code, a single set of model codes that is being adopted by governmental jurisdictions nationwide.
- DIGEST:** HB 2144 would amend the Plumbing License Law to require the Board of Plumbing Examiners to adopt the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials and the International Plumbing Code published by the International Code Council.

Plumbing installed in an area not subject to municipal regulation would have to be installed in accordance with these plumbing codes. A municipality or an owner of a public water system could adopt any nationally recognized model plumbing codes and standards that did not vary substantially from state rules or laws.

The bill would take effect September 1, 1999, and would apply to the design, installation, or maintenance of a plumbing system on or after that date.

**SUPPORTERS  
SAY:**

HB 2144 would require all plumbers in the state to follow some type of national standards, but still would allow municipalities to choose which national codes to adopt.

This bill also would require the board to adopt the new consolidated code, which allows contractors to use new materials not allowed by older codes. The International Plumbing Code is written by city or county code officials, who are concerned only with the public's health and safety and have no vested interest in using particular brands of materials.

The Board of Plumbing Examiners has had to use 1991 versions of plumbing codes because the board has not had the authority to adopt updated versions of the code. HB 2144 would give the board this authority.

Municipalities and owners of public water systems could adopt codes other than those adopted by the state as long as they did not vary substantially from those adopted by the state. HB 2144 would maintain this home-rule advantage, but would specify that municipalities must adopt a code that is nationally recognized.

The bill also would ensure that plumbing installed in areas outside of municipalities would have to be installed in accordance with one of the two codes adopted by the state board.

**OPPONENTS  
SAY:**

HB 2144 would require the plumbing board to adopt the International Plumbing Code, which is substandard compared to other plumbing codes. This code is developed only by building inspectors, who do not have direct experience with available materials. Other codes are developed with input from plumbers and consumers and include only materials approved by professional testing companies, plumbers, and consumers. The International

Plumbing Code does not use this procedure in determining requirements for materials.

HB 2144 would place an undue burden on contractors. Contractors and plumbers' unions train plumbers on provisions in state-adopted codes. If the board adopts a new code, contractors would have to retrain their employees on an entirely new code. It costs about \$60 to train each employee.

NOTES:

The original bill would have required the board to adopt the latest version of the Uniform Plumbing Code, the International Plumbing Code, the Standard Plumbing Code, and the National Plumbing Code. The committee substitute would require the board to adopt only the first two codes. The substitute also added the provision that municipalities or public water system owners could adopt any nationally recognized codes.