

- SUBJECT:** Testing of natural gas piping in private schools
- COMMITTEE:** Energy Resources — committee substitute recommended
- VOTE:** 7 ayes — R. Lewis, Hawley, Crabb, Driver, Merritt, Williams, Woolley
0 nays
2 absent — West, Wilson
- WITNESSES:** None
- BACKGROUND:** In 1997, the Legislature enacted HB 1611 by B. Turner, requiring pressure tests of natural gas piping in public school facilities at least every two years. The Texas Railroad Commission (TRC) must specify the length of time during which the piping system downstream of the meter must hold at least normal operating pressure. Upon request, TRC must help school districts develop test procedures. The tests must be conducted before the start of each school year, or by July 1 for facilities that are used year-round.
- Each school district must provide its gas suppliers with a written notice specifying the date and result of the pressure test. The supplier must terminate gas service to a facility if the test results show a hazardous leak or if the district fails to conduct the test. Leaks must be reported to the school board. TRC is required to enforce these provisions.
- DIGEST:** CSHB 2261 would require all public and private school facilities, but not home schools, to conduct pressure tests of their natural gas piping at least once every two years. It would apply the same requirements and duties to people responsible for private school facilities as now apply to public school district officials. The bill would not apply to facilities that use liquid propane gas systems.
- The bill would add a new subchapter J to Utilities Code, chapter 121, combining public and private schools' duties to perform biennial tests, and would repeal art. 6053-2a, VTCS, relating solely to public schools. As under current law, the bill would require TRC to enforce these provisions.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house.

**SUPPORTERS
SAY:**

Since the 1997 law took effect, more than half of all public school facilities have discovered leaks in their natural gas piping systems. Current law helps protect 3 million Texas school children from the possibility of a natural gas explosion at a cost of pennies per student. Such an explosion in New London killed 300 people, mostly schoolchildren, in 1937. As facilities age, the risk of leaks and explosions increases. Private schools have the same duty to protect their students from these potentially tragic situations.

The bill would extend the statewide standard to private schools because some private schools conduct these tests sporadically, and others do not conduct them at all. If this bill's requirements are perceived as a potential "unfunded mandate" on private institutions, it should be viewed as a mandate with a minimal cost when compared to the potential cost of an explosion in damages and in human lives.

Pressure testing is a relatively simple, inexpensive, and effective means of determining whether a piping system has leaks. It makes sense to require all school facilities using natural gas systems to test their pipes at least every two years.

**OPPONENTS
SAY:**

Mandating pressure tests every two years may cost pennies per student for larger facilities, but the costs add up quickly for smaller private schools. Most city ordinances require a master plumber to conduct gas pressure tests. For smaller private schools, hiring a master plumber could be costly. Less expensive tests, including shut-in and electronic tests, could be just as effective as pressure tests. The bill should give both public and private schools more flexibility to determine the most appropriate test and test schedule for their operations and resources.

NOTES:

The committee substitute would repeal existing art. 6053-2a, VTCS applicable only to public schools and add a new statute that would apply to both public and private school facilities, other than home schools. The substitute also would take effect immediately rather than 90 days after adjournment.

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HB 3476 by Averitt, requiring biennial testing of liquefied propane gas piping systems in public and private school facilities, passed the House on the Local, Consent, and Resolutions Calendar on April 16 and has been referred to the Senate Education Committee.