

SUBJECT:           Revising licensing and regulation of plumbers

COMMITTEE:       Licensing and Administrative Procedures — favorable, without amendment

VOTE:             7 ayes — Kuempel, Geren, Gutierrez, Hamilton, Jones, Menendez, Quintanilla

                      0 nays

                      2 absent — Thompson, Chisum

SENATE VOTE:     On final passage, April 7 — 31-0

WITNESSES:       For — (*Registered, but did not testify*: Michael Cunningham, Texas Building and Construction Trades Council; Curtis Fuelberg, Associated Plumbing, Heating, Cooling Contractors; Richard Lord, Texas Pipe Trades; Dan Shelley, Responsible Plumbers and Associates)

                      Against — None

                      On — (*Registered, but did not testify*: Robert Maxwell, Texas State Board of Plumbing Examiners)

DIGEST:           SB 1410 would amend the Occupations Code relating to the licensing and regulation of plumbers. It would require certain licensed plumbers to operate only under the supervision of a responsible master plumber. A responsible master plumber would be a person licensed as a master plumber whose license was used by one plumbing company for the purpose of offering and performing work, was allowed to obtain permits for plumbing work, assumed the responsibility for plumbing work performed, and had submitted a certificate of insurance. A person who advertised or otherwise offered to perform or provide plumbing would have to secure the services of a responsible master plumber.

                      A written proposal, invoice, or contract relating to plumbing services would have to contain the name and license number of the responsible

master plumber as well as the mailing address and telephone number of the Texas State Board of Plumbing Examiners (TSBPE).

A plumbing inspector who met the requirements of the TSBPE could hold a medical gas endorsement.

A person would be subject to a disciplinary action for employing a person who was not licensed, endorsed, or registered.

SB 1410 would amend the enforcement provision of the TSBPE by allowing the executive director to issue cease-and-desist orders in cases when necessary to ensure public safety.

The bill would require the TSBPE to issue orders to enforce the provisions of the bill. Failure to pay a penalty from an order would be grounds for TSBPE to refuse to issue or renew a license or registration.

The bill would take effect September 1, 2009, and would apply to violations occurring on or after the effective date.

**SUPPORTERS  
SAY:**

SB 1410 would simplify the rights and responsibilities of each type of plumbing license by amending definitions of certain plumbers to conform to what already is required by the TSBPE. SB 1410 would protect consumers by specifying that those who perform plumbing work must hold the correct license and provide licensing information on written documents. In addition, SB 1410 would strengthen the TSBPE's authority over negligent plumbers.

**OPPONENTS  
SAY:**

No apparent opposition