

SUBJECT: Adopting a uniform plumbing standard

COMMITTEE: Licensing and Administrative Procedures — favorable, without amendment

VOTE: 6 ayes — T. King, Goldman, Geren, K. King, Kuempel, Paddie

1 nay — S. Thompson

4 absent — Guillen, Harless, Hernandez, Herrero

WITNESSES: For — Michael Olson, Building Officials Association of Texas; Jim Cika, Lee Clifton, Shirley Ellis, Hamid Naderi, Kelly Sadler and Dominic Sims, International Code Council; Geoffrey Tahuahua, Real Estate Council of Austin; Scott Turner, Riverside Homes; J.D. Hale, Texas Association of Builders; Jim Olk; Thomas Rice; Kevin Robinson; (*Registered, but did not testify*: Chance Sparks, American Planning Association Texas Chapter; Jake Posey, Aquatic Professionals Education Council; Jon Fisher, Associated Builders and Contractors of Texas; Hal Caton, Caton Consulting; Tammy Embrey, City of Corpus Christi; Clifford Sparks, City of Dallas; Rick Ramirez, City of Sugar Land; Robert Hanley, Hanley PM Services; David Glenn, Home Builders Association of Greater Austin; Tammy Betancourt, Houston Building Owners and Managers Association; Suzanne Arnold, North Texas Chapter; Steve Koebele, Pool and Hot Tub Alliance; Thomas Phillips, Target; Todd Kercheval, Texas Affiliation of Affordable Housing Providers; Kyle Jackson, Texas Apartment Association; Sarah Lacy, Texas Building Owners and Managers Association; JJ Rocha, Texas Municipal League; Jim Sheer, Texas Retailers Association; Jack Baxley, TEXO The Construction Association; Rick Moore and Brian Yarbrough, The Home Depot; Mike Beard)

Against — John Mata, International Association of Plumbing and Mechanical Officials; Richard Lord and Jeremy Pavlich, Plumbers Local 68; Stanley Biers, Texas Plumbing, AC, Mechanical Association; (*Registered, but did not testify*: Alicia Dover, Associated Plumbing-Heating-Cooling Contractors of Texas; Bill Kelly, City of Houston

Mayor's Office; Eric Wright, International Association of Plumbing and Mechanical Officials; Joe Cooper, Plumbers and Pipefitters Local 286; David Bowman, Plumbers Local 68; Leonard Aguilar, Southwest Pipe Trade Association; Rene Lara, Texas AFL-CIO; Cheri Siegelin, Texas Correctional Employees Huntsville; Stephen Cox, Texas Plumbing Heating Cooling Contractors Association; Lee Medley, United Steelworkers District 13 Council; Russell Shelton; Edward Sills)

On — Richard Anderson, City of Austin

**BACKGROUND:** Occupations Code sec. 1301.255(a) requires the Texas State Board of Plumbing Examiners to adopt as its plumbing codes the Uniform Plumbing Code (UPC), as published by the International Association of Plumbing and Mechanical Officials, and the International Plumbing Code (IPC), as published by the International Code Council.

Sec. 1301.255(d) allows a municipality to amend any provisions of the plumbing code to conform to local concerns, provided that the amendments do not vary substantially from board rules or other rules of the state.

**DIGEST:** HB 3622 would eliminate the requirement that the Texas State Board of Plumbing Examiners adopt the Uniform Plumbing Code and would specify that the board would have to adopt the 2015 edition or later of the International Plumbing Code. The board would have to adopt rules to implement this change by December 1, 2019.

The bill would take effect September 1, 2019.

**SUPPORTERS SAY:** HB 3622 would end the confusing system under which the Texas State Board of Plumbing is required to adopt two different codes. The current system creates difficulties for plumbers unfamiliar with the Uniform Plumbing Code (UPC) who wish to work in a new area that uses this code and for those who have to study a code they may never use in order to get a plumbing license.

The International Plumbing Code (IPC) is widely used, and Texas will benefit from formally adopting it. Cities have long been allowed to choose between the IPC and the UPC, and today very few use the latter.

Since the law already allows municipalities to amend the plumbing code to adjust to local needs, concerns about local control are misplaced. The bill would be a move toward increased standardization and greater efficiency.

OPPONENTS  
SAY:

HB 3622 would harm the ability of municipalities to decide what code worked best for them and would eliminate the more effective of the two codes. Plumbing done to UPC specifications will generally meet IPC guidelines, but the reverse is not true. UPC jobs often cost more because they are done to more specific and exacting standards intended to protect the safety of the public.

Cities should be allowed to choose for themselves which code meets their local needs, and some cities such as Houston and Austin, which use UPC, would face a difficult and expensive challenge in switching over to the new code.