

BILL ANALYSIS

Senate Research Center

H.B. 2025
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International Relations, Trade & Technology
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Engrossed

DIGEST

Currently, there is a requirement under the federal Clean Air Act that air conditioning contractors must take a course and pass a test in order to obtain a certificate entitling them to purchase refrigerants. This bill sets forth provisions limiting the sale of refrigerants in Texas to licensed air conditioning and refrigeration contractors who have an EPA certificate.

PURPOSE

As proposed, H.B. 2025 sets forth provisions regarding the regulation of the sale and use of certain refrigerants and provides a criminal penalty for a certain violation.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of licensing and regulation in SECTION 2 (Sec. 10(c), Article 8861, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3, Article 8861, V.T.C.S. (Air Conditioning and Refrigeration Contractor License Law), by adding Subsection (m), to authorize a representative of the Texas Commission of Licensing and Regulation or a municipal air conditioning or refrigeration inspector within the jurisdiction of the municipality to issue a citation to a person who violates Section 10(d) or (e).

SECTION 2. Amends Article 8861, V.T.C.S., by adding Section 10, as follows:

Sec. 10. SALE AND USE OF REFRIGERANTS. Defines "refrigerant." Outlines procedures regarding the sale and use of a refrigerant. Provides that a person commits a Class B misdemeanor if the person purchases a refrigerant or equipment containing a refrigerant in this state in violation of Subsection (d) or (e) of this section. Provides that this section does not apply to a "small appliance" as defined by 40 C.F.R. Part 82.152, as amended.

SECTION 3. (a) Effective date: September 1, 1997, except as provided by Subsection (b).

(b) Effective date for Sections 3(m), and 10(c)-(e) and (g), Article 8861, V.T.C.S.: January 1, 1998.

(c) Requires the commissioner of licensing and regulation to adopt rules as required by Section 10 not later than December 31, 1997.

SECTION 4. Emergency clause.