BILL ANALYSIS

DIGEST

Currently, the Air Conditioning and Refrigeration Contractor License Law (Article 8861, V.T.C.S.) (ACRCLL), requires any air conditioning or refrigeration contractor doing business in Texas to hold either a municipal or state license, and provides for several exemptions from licensure. The federal Clean Air Act governs the use of refrigerants used in the heating, ventilation, and air conditioning industry, and some of that Act's provisions were placed into Texas law. In the development of applicable rules it became apparent that the language of the law had inadvertently failed to exempt from the refrigerant purchasing provisions persons who had been explicitly exempted from the ACRCLL. This bill would clarify provisions in the previously enacted ACRCLL regarding licensure, and specifically exempt from refrigerant purchasing requirements those who had previously been explicitly exempt.

PURPOSE

As proposed, C.S.H.B. 1064 revises the regulation of the sale and use of certain refrigerants.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6(a), Article 8861, V.T.C.S., to provide that this Act does not apply to a person who performs air conditioning and refrigeration contracting in a building owned solely by the person, rather than him, as the person's home, rather than his, or performs air conditioning services only on a motor vehicle or MVAC-like appliance air conditioner, rather than conditioning unit, except as provided by Section 10 of this Act. Defines "MVAC-like appliance." Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 10(g), Article 8861, V.T.C.S., to authorize a purchaser to purchase refrigerants if that person's use is exempt under Section 6(a)(1), (3), (5), (6), or (7) of this Act.

SECTION 3.   Emergency clause.
             Effective date: upon passage.