

## **BILL ANALYSIS**

Senate Research Center

H.B. 1279  
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Business & Commerce  
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Engrossed

### **DIGEST AND PURPOSE**

The 72nd Legislature enacted legislation relating to the regulation of asbestos removal from public buildings through the Texas Asbestos Health Protection Act. The Act exempted persons performing resilient floorcovering removal consistent with work practices published by the resilient floor covering industry or approved by the commissioner of health from the licensing and registration requirements. Violators of this provision were subject to a civil penalty not to exceed \$5,000, whereas violators of the other provisions of the Act were subject to a penalty not to exceed \$10,000 a day for each violation. H.B. 1279 repeals the limitation on civil penalties for violating the exemption provision and provides for a minimum of 8 hours of training that a person who removes resilient floor covering material must have completed, rather than a maximum of 8 hours.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 15A(a), Texas Asbestos Health Protection Act (Article 4477-3a, V.T.C.S.), to provide that the licensing and registration requirements of the Act do not apply to activities involving resilient floor-covering material provided any removal of such material is performed consistent with work practices published by the resilient floor covering industry or by other methods determined by the commissioner to provide public health, rather than comparable, protection from asbestos exposure. Requires that any person who removes resilient floor covering material to have completed a training course covering such work practices for a minimum of eight hours.

SECTION 2. Repealer: Section 15A(c), Texas Asbestos Health Protection Act (Article 4477-3a, V.T.C.S.).

SECTION 3. Effective date: September 1, 2001.