

BILL ANALYSIS

Senate Research Center
82R4179 EES-F

S.B. 1075
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Business & Commerce
3/25/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows a party involved in litigation to concurrently request that the Texas State Board of Plumbing Examiners (TSBPE) investigate a complaint that is the subject matter of the litigation.

S.B. 1075 would create more efficiency in the dispute resolution process for TSBPE and the industry by prohibiting TSBPE from investigating a complaint in which the complainant and the subject of the complaint are engaged in litigation.

S.B. 1075 also clarifies existing statute by replacing "plumbing contractor" with "responsible master plumber or an agent of a responsible master plumber," which matches terminology in the statute with definitions in the existing code.

As proposed, S.B. 1075 amends current law relating to the regulation of plumbing.

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 1301.304, Occupations Code, by adding Subsection (d), to prohibit the Texas State Board of Plumbing Examiners (TSBPE), unless a threat to health or safety exists, from investigating a complaint in which the person filing the complaint and the person who is the subject of the complaint are engaged in litigation related to the subject matter of the complaint until the outcome of the litigation is finally determined.

SECTION 2. Amends Section 1301.552, Occupations Code, as follows:

Sec. 1301.552. CERTIFICATE OF INSURANCE FOR PLUMBING PERMIT IN POLITICAL SUBDIVISION. Requires a political subdivision that requires a responsible master plumber or an agent of a responsible master plumber, rather than a plumbing contractor, to obtain a permit before performing plumbing in the political subdivision to verify through TSBPE's Internet website, or by contacting TSBPE by telephone, that the responsible master plumber has on file with the board of insurance. Requires the certificate of insurance to be written by a company licensed to do business in this state; provide for commercial general liability insurance for the responsible master plumber for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and provide coverage of not less than \$300,000 for all claims arising in a one-year period. Makes conforming changes.

SECTION 3. Effective date: September 1, 2011.