

BILL ANALYSIS

Senate Research Center
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H.B. 796
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Electricians in Texas are required to have a license to do electrical work. Journeyman linemen who work for utilities are not required to have a license to do lineman work as long as they work for the utility because utilities are exempt from these licensing requirements. Increasingly, some private industries now have their own substation, distribution and/or transmission facilities, but work on these facilities requires a license. Workers who seek to work as journeyman linemen in these private industry settings may seek licensing as an electrician, but face two problems under current law in securing a license for this work.

First, to be eligible to take the test for an electrician's license, an individual must have worked for 7,000 hours under a master electrician. Utilities do not use a master electrician, so linemen cannot meet that requirement. Second, the nature of line work is very different from that of an electrician and involves very different skills and knowledge. Thus, because they are unable to be licensed as electricians, these workers are not able to take advantage of these lineman journeymen opportunities in the private industry.

H.B. 796 seeks to address this need by defining line work in statute and creating an alternative journeyman license and standard for the individuals performing lineman work in Texas. It does not expand the requirement for licensure for those who are not licensed today. It simply provides an opportunity for those who wish to broaden their skills and economic opportunity.

H.B. 796 amends current law relating to the regulation of electrical contracting, including the licensing of a journeyman lineman.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the executive director of the Texas Department of Licensing and Regulation is modified in SECTION 3 (Section 1305.102, Occupations Code) and SECTION 6 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1305.002, Occupations Code, by redesignating existing Subdivision (12) as Subdivision (11-a) and adding a new Subdivision (12), to define "journeyman lineman" to mean an individual who engages in electrical work involving the maintenance and operation of equipment associated with the transmission and distribution of electricity from the electricity's original source to a substation for further distribution.

SECTION 2. Amends Section 1305.003(a), Occupations Code, as follows:

(a) Provides that this chapter does not apply to:

(1)-(4) Makes no change to these subdivisions;

(5) work that:

(A) involves:

(i) the installation, maintenance, alteration, removal, or repair of electrical equipment under the exclusive control of an electric utility, including activities performed by a contractor on behalf of the utility and activities performed during emergency restoration operations on behalf of the utility;

(ii) the operation or performance of work on electrical equipment for a power generation company as defined by Sections 31.002(1) (defining “affiliated power generation company”) and (10) (defining “power generation company”), Utilities Code, electric cooperative, or municipally owned utility; or

(iii) the operation or performance of work on electrical equipment used for communications or metering, or for the generation, control, transformation, transmission, and distribution of electrical energy on behalf of an electric utility; and

(B) is on electrical equipment located:

(i) in a building used exclusively by a utility or power generation company for those purposes;

(ii) outdoors on property owned or leased by the utility or power generation company;

(iii) on public highways, streets, roads, or other public rights-of-way; or

(iv) outdoors by established rights in vaults or on private property; and

(6)-(23) Makes no change to these subdivisions.

Makes nonsubstantive changes.

SECTION 3. Amends Section 1305.102(a), Occupations Code, to require the executive director to adopt rules for the licensing of electricians, sign electricians, electrical sign contractors, electrical contractors, journeyman linemen, residential appliance installers, and residential appliance installation contractors as prescribed by this chapter.

SECTION 4. Amends Subchapter D, Chapter 1305, Occupations Code, by adding Section 1305.1605, as follows:

Sec. 1305.1605. JOURNEYMAN LINEMAN. Requires an applicant for a license as a journeyman lineman to have at least 7,000 hours of training in an apprenticeship program approved by the United States Department of Labor or 3-1/2 years of experience as a journeyman lineman for an electric utility or electrical contractor in this state and pass a journeyman lineman examination administered under this chapter.

SECTION 5. Amends Section 1305.168(a), Occupations Code, to require the license holder, to renew a master electrician, journeyman electrician, master sign electrician, journeyman sign electrician, maintenance electrician, journeyman lineman, or residential wireman license, to complete four hours of continuing education annually.

SECTION 6. (a) Requires the executive director of TDLR, not later than January 1, 2014, to adopt rules regulating the licensing of a journeyman lineman, as required by Section 1305.102 (Rules), Occupations Code, as amended by this Act.

(b) Provides that a person is not required to hold a license as a journeyman lineman under Chapter 1305 (Electricians), Occupations Code, as amended by this Act, before June 1, 2014.

SECTION 7. Effective date: upon passage or September 1, 2013.