

BILL ANALYSIS

Senate Research Center

H.B. 3257
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Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that state law requiring a portable boiler to be inspected each time the boiler is moved to a new location is insufficient. H.B. 3257 addresses this issue by requiring the Texas Commission of Licensing and Regulation to adopt rules to provide for proper boiler inspection intervals.

H.B. 3257 amends current law relating to the regulation and inspection of boilers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 3 (Section 755.025, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 755.001(17), Health and Safety Code, to define "portable boiler," rather than "portable power boiler."

SECTION 2. Amends Section 755.022(a), Health and Safety Code, as follows:

- (a) Provides that this chapter (Boilers) does not apply to:
 - (1) through (3) makes no changes to these subdivisions;
 - (4) and (5) makes nonsubstantive changes; or
 - (6) espresso machines.

SECTION 3. Amends Section 755.025(e), Health and Safety Code, as follows:

- (e) Requires the Texas Commission of Licensing and Regulation (TCLR) by rule to establish the subsequent intervals and manner of inspection for a portable boiler. Deletes existing text requiring that a portable power boiler be inspected externally each time the boiler is moved to a new location and receive an internal inspection at least annually.

SECTION 4. Amends Chapter 755, Health and Safety Code, by adding Subchapter E, as follows:

SUBCHAPTER E. REGULATION OF BOILERS AND FUEL GAS SYSTEMS

Sec. 755.071. RESTRICTION ON REGULATION. Prohibits a state agency or political subdivision, notwithstanding any other law, from restricting the use or installation of a specific fuel gas pipe product that is approved for use and installation by the International Fuel Gas Code.

Sec. 755.072. CONFLICT OF LAW. Provides that to the extent of a conflict between this subchapter and another law, this subchapter controls.

SECTION 5. Requires TCLR, as soon as practicable after the effective date of this Act, to adopt the rules necessary to implement the changes in law made by this Act.

SECTION 6. Effective date: upon passage or September 1, 2017.