

BILL ANALYSIS

Senate Research Center
85R21876 JAM-F

H.B. 3726
By: Dale (Taylor, Van)
Natural Resources & Economic Development
5/11/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that provisions relating to additional examinations and continuing education for individuals regulated by the Liquefied Petroleum Gas Code are not being adequately enforced and allege that this type of additional examination and instruction is not required for the renewal of other licenses under the purview of the Railroad Commission of Texas (railroad commission). H.B. 3726 removes the requirement that the railroad commission by rule require an examination for technical competence that is validated by a recognized educational testing organization or similar organization or attendance at approved academic, trade, professional, or railroad commission-sponsored seminars, other continuing education programs, and periodic reexaminations. The bill instead authorizes the railroad commission by rule to require such an examination for technical competence or attendance at such seminars or other continuing education programs in addition to those other examination requirements.

Under current law, the railroad commission is required to require liquefied petroleum gas licensees, in addition to other required examinations, to take an examination for technical competence that is validated by a recognized educational testing organization or similar organization; or require attendance at approved academic, trade, professional, or commission-sponsored seminars or, other continuing education programs, and periodic reexaminations. H.B. 3726 completely removes the periodic reexamination requirement and allows the railroad commission to decide how to handle and whether to require the other requirements pertaining to an examination for technical competence that is validated by a recognized educational testing organization or similar organization; or require attendance at approved academic, trade, professional, or commission-sponsored seminars or other continuing education programs.

H.B. 3726 amends current law relating to certain examination and continuing education requirements for applicants for and holders of liquefied petroleum gas licenses.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Railroad Commission of Texas is modified in SECTION 1 (Section 113.087, Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 113.087(m), Natural Resources Code, as follows:

(m) Authorizes, rather than requires, the Railroad Commission of Texas (railroad commission), by rule, rather than by appropriate rule, to require, in addition to examination requirements set out in certain subsections, rather than certain subsections of this section:

(1) makes no changes to this subdivision; or

(2) attendance at approved academic, trade, professional, or railroad commission-sponsored seminars or other continuing education programs, rather than at certain seminars, other continuing education programs, and periodic examinations. Makes a nonsubstantive change.

SECTION 2. Makes application of Section 113.087, Natural Resources Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2017.