

BILL ANALYSIS

Senate Research Center
86R7851 JCG-F

S.B. 1034
By: Hancock
Business & Commerce
3/14/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 1301, Occupations Code, requires a licensed plumber to oversee utility contractors when they are working on water and wastewater lines that are located on private property between the public line and a building. Section 1301.002(7)(B), Occupations Code, states that plumbing means: a fixture used outside a building to connect the building to the main in the street or alley or at the curb. Utility contractors are required to have a licensed plumber oversee their connection of the public water line to a building on private property because that work falls under this definition of plumbing.

Alternatively, oversight from a licensed plumber is not required when utility contractors are working on a public line.

The delay caused by needing to schedule the plumber is not only inefficient but leaves a large hole in the ground while waiting for a plumber, which is an unnecessary safety hazard for these work sites.

There are also safety concerns for the plumbers for this type of work. Trench safety training is not required to obtain a plumbing license and it is not uncommon for an unsupervised plumber to enter a trench without someone present who has the proper safety training.

In an effort to increase the efficiency and safety of these projects, S.B. 1034 removes the unnecessary requirement of locating and scheduling a licensed plumber to oversee their work on these water lines. This bill does not affect work done on private property designated for use as a one-family or two-family dwelling.

Supporters: Utility Contractors

Opposition: Plumbers

As proposed, S.B. 1034 amends current law relating to an exemption from the plumbing licensing law for plumbing work performed on certain private property.

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 Subchapter B, Chapter 1301, Occupations Code, by adding Section 1301.059, as follows:

Sec. 1301.059. PLUMBING ON CERTAIN PRIVATE PROPERTY. (a) Provides that a person is not required to be licensed under this chapter to perform plumbing work consisting of installing, servicing, or repairing service mains, service lines, appurtenances, equipment, or appliances that provide water, sewer, or storm drainage services on private property in an area that extends from a public right of way or public easement to not less than five feet from a building or structure.

(b) Provides that this section does not apply to plumbing work performed on private property designated for use as a one-family or two-family dwelling.

SECTION 2. Effective date: September 1, 2019.