



LEGISLATIVE UPDATE

April 12, 2017

Over 6500 Bills have been filed by the House and Senate by the March 10th Deadline. Numerous hearings and meetings are currently taking place.

As for PHCC, we are watching the following bills:

HB 2095 – Related to the Transfer of a Plumber’s License on the retirement or death of the plumber.

This bill amends a bill from last Session to lower the number of years a license number must be held to 35 from 50. This change will make allow more licensees to take advantage of this option upon their death or retirement. There was a hearing on this bill on March 27th in Licensing & Administrative Procedures. Sam Dowdy testified on behalf of this bill. It was referred to Local and Consent Calendars for consideration to be heard on the House floor. The meeting on the house floor to refer to the Calendar is Thursday, April 13th. (This is a PHCC Sponsored Bill) *by Rep. Kuempel*

HB 3049 – Relating to the number of hours of work experience required of a plumber’s apprentice to take an examination for a plumber’s license.

This bill would allow the Texas State Board of Plumbing Examiners to credit an apprentice’s application for either a Tradesman or Journeyman license up to 250 hours of *additional* work experience IF the applicant has completed a coherent sequence of courses in the construction trade that are offered through a career and technical education program that is approved by the State Board of Education. This bill was heard on April 3rd and Sam Dowdy testified on behalf of this bill. It was voted out of this committee. Awaiting to hear the next step. (This is a PHCC Sponsored Bill) *by Rep. Guillen*

HB 3029 – Relating to air conditioning and refrigeration contracting and the education and certification of air conditioning and refrigeration technicians.

This bill would create a technician certification category with TDLR. In so doing, there would be corresponding training, education and other requirements to be met with this level of certification. The important piece to this proposed bill would be that, it is NOT required if an individual *only assists* with the replacement, installation, or repair of equipment. This bill was referred to Licensing & Administrative Procedures to be placed on the calendar for a committee hearing. (This is a TACCA Sponsored Bill of which PHCC will support) *by Rep. Frullo*

HB 3111 – Relating to medical gas and vacuum piping systems testing in certain health facilities and voluntary tester registry. This bill was referred to Public Health Committee. We are monitoring its progress. We will also reach out to the constituent who prompted this bill filing.

HB 3463 – Relating to an exemption from the plumbing licensing law for public service companies working on certain private property.

This bill would allow public service companies to NOT have to utilize the services of a licensed plumber to perform plumbing work on behalf of a public service company. This work would extend to plumbing, installation, service or repair of service mains, service lines, appurtenances, equipment or appliances that provide water, sewer, storm drainage, or gas services on private property *in an area that extends from a public easement to not less than five*

feet from a building or structure. This bill was referred to LAP for possible hearing. (PHCC is AGAINST this bill and is working diligently to make sure it does not pass) *by Rep. Goldman*

SB 1715 – Relating to the use of corrugated stainless steel tubing in residential and commercial structures.

The purpose of this bill is to regulate the use of CSST based on standards of the 2008 International Residential Code or a version of that code that is adopted by the ordinance of the largest municipality of a county in which the dwelling is located and that is at least as stringent as the 2008 version of that code. Further, use of CSST in commercial structures must conform to the minimum standards adopted by state fire marshal order. This bill will most likely be “pulled” for this Legislative Session and become a topic for Interim Study. As of 4/12, this bill is still active. (PHCC is AGAINST this bill) *by Senator Hall*

HB 3712 – Relating to the hours of continuing professional education required for a plumber’s license or endorsement.

This bill would REDUCE the number of required hours for plumber CPE from 6 to 4. PHCC has been in communication with the sponsor of this bill, Dr. Sheffield. This bill has been referred to Licensing for a possible hearing. At present, PHCC is AGAINST this bill as it stands.

HB 3414 – Relating to membership of the Texas State Board of Plumbing Examiners

This bill would change the membership of the state board to only require ONE Public Member and move the second Public Member to Master or Journeyman. This bill was referred to Licensing on March 31st. No action taken. (PHCC is AGAINST this bill as written.)

Construction Bills being monitored by PHCC and Texas Construction Association (TCA):

HB 3065 – Relating to Lien Law Modernization –This modernization will provide a more reliable close-out procedure which will result in fewer perfected lien claims on projects. This bill has been referred to Business & Industry Committee. PHCC will closely monitor.

HB 2170 – Relating to the responsibility for defective plans and specifications. This bill takes the stance that the construction team should not be held liable for construction that is defective due to erroneous documents furnished by the owner. This bill was referred to House Ways & Means Committee. PHCC will closely monitor. No hearing date has been set.

HB 2668 – Relating to Priority Retainage. Retainage should be recognized for what it is; a loan to the construction project by the construction team, and it should be protected in a similar fashion as the lender protects its construction loan. This can be accomplished by providing a priority to a lien for retainage that is equal to the priority of a lender’s deed of trust for the construction loan. Under **HB 2668**, if the lender forecloses on a construction project, the properly perfected liens for retainage will not be wiped out, but rather will be on the same footing as the lender’s deed of trust for the construction loan. The lender will continue to have protection under its deed of trust for the 90% of the construction cost it has provided. The lien for retained funds would not attach to the owner’s property if, before withholding retained funds from the original contractor, the owner furnishes and files a bond. This bill has been referred to Business & Industry Committee. PHCC will closely monitor.

HB 1053 – Relating to statutes of repose for certain claims involving the construction or repair of an improvement to real property or the attachment of equipment to real property. This bill would lower the number of years available for a suit for damages to be brought forward from 10 to 5 years. PHCC is in FAVOR of this bill. It was heard in the Judiciary and Civil Jurisprudence Committee on March 28, 2017. Awaiting its next steps.

HB 863 – Relating to safety training for employees performing work under a contract with a governmental entity; providing administrative penalties. PHCC and lobby team are exploring this bill for further details. It was heard by the Business and Industry Committee on March 27, 2017.

Education Bills relating to Workforce:

HB 380 and HB 639 address issues on rapid workforce training for critical areas, and for the ability for school districts to secure insurance for students working in local businesses for OJT and Internship situations. **HB 639** was heard in committee and is awaiting its next steps. **HB 380** was referred to Public Education but no action taken.

SB 22 and HB 1237 introduce the P-TECH model to give school districts of adopting a 4-6 year course of study to meet the needs of local workforce. This would create partnerships with local business and the schools to “ready” students in High School for the critical needs in their area. **SB 22 was heard on the Senate floor on March 28th and passed.** It was sent to the House the following day. **HB 1237** has been referred to Public Education, no action taken.

HB 1469 would allow CTE (Career and Technology) teachers without Bachelor’s Degrees in charter schools. WE will support this as many schools are looking towards workforce related fields of study in their proposed curriculums. Finding degreed instructors for trades types of study may prove difficult. Was heard favorably in Public Education with a substitute and has been referred to House Calendars for possible vote.

HB 2730 would allow TEA (Texas Education Agency) to create CTE credentials/certificates for unmet labor needs. This bill was referred to Public Education but no action taken.

SB 2105 would require more information from the Texas Workforce Commission to be shared with high school students. This would include CTE partnerships with local businesses, and field-based learning opportunities for students. This bill will be heard on April 11 in Natural Resources & Economic Development. PHCC is in SUPPORT of this bill.

Any questions or comments? Please contact me: Alicia Dover, Executive Director: alicia@phcc-tx.org or (512) 523-8094