

TACCA Legislative Update  
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This session has gotten off to a rather sedate start. As of March 1, 3,045 House bills had been filed, but fewer than half – 1500 – had been referred to committees. As promised, school finance/property tax reform, and school safety have dominated discussions, hearings, and state budget talks.

Bills will continue to be filed through Friday, March 8 at 6:00 p.m., which is also the first day the full House or Senate can consider a non-emergency bill. The complete tracking list through March 1 is attached, and the following are some bills of particular interest to the HVAC industry.

TACCA's Municipal Fee Bill. Former chairman of the House Licensing Committee, Rep. John Kuempel (R-Seguin), has agreed to file the bill prohibiting municipalities from collecting a registration fee from HVAC contractors. Unfortunately, the bill has been at the Legislative Council being drafted for months, going back and forth over the specific language. It will be filed by the end of this week.

Plumbing Board. In early January, at its last decision meeting, the Sunset Commission voted 7-5 to move the regulation of plumbers to TDLR and abolish the Plumbing Board. The resulting plumbing Sunset bills moving the plumbers to TDLR have been filed by Sen. Robert Nichols (R-Jacksonville) - SB 621 - and Rep. Stan Lambert (R-Abilene) - HB 1670. Rep. Lambert was one of the 5 members of the Sunset Commission to vote to keep the Plumbing Board intact, and Sen. Nichols voted to move it, so it will be interesting to see what happens next. PHCC is working to retain the Plumbing Board.

Minimum Wage. Like last session, a number of bills have been filed to increase the minimum wage. As one TACCA member pointed out recently, very few contractors pay as low as minimum wage, especially in this high employment economy, but raising the minimum can push all wages up, and could be problematic in the event of another downturn. TACCA is monitoring the progress of these bills: HB 194, HB 290, HB 328, HB 820, HB 1336, HB 2138, SB 113, and SB 161.

Municipal Employment Regulations. TACCA registered in support of SB 15 by Sen. Brandon Creighton (R-Conroe) when it was heard by the Senate State Affairs Committee last week. It provides that a political subdivision of this state may not adopt or enforce an ordinance, order, rule, regulation, or policy regulating a private employer's terms of employment relating to: any form of employment leave such as sick leave, vacation, etc.; employment benefits; or scheduling practices. SB 15 was voted out of committee on March 4. Its House companion is HB 1654 by Rep. Craig Goldman (R-Fort Worth).

Occupational Licensing. Several bills have been filed which would make it easier for an applicant with a criminal history to get a job. HB 1153 by Rep. James White (R-Hillister) allows state agencies more leeway on granting licenses to applicants with criminal records who apply for the license five years or more after their conviction or release from confinement. It also requires each licensing agency to create a list of specific offenses which may lead to denial of licensure because they relate to the occupation. Similar bills are HB 1342 and its companion SB 523, HB 2037, HB 2233, SB 834, SB 965, SB 1217.

HB 495 by Rep. Joe Deshotel (D-Beaumont) prohibits an employer from including a question regarding an applicant's criminal history record information on an initial employment application form, but allows the employer to inquire into or consider an applicant's criminal history record information after the employer has determined that the applicant is otherwise qualified.

Other bills relating to occupational licenses:

HB 1141 and SB 1004 – exemption from license requirements for certain electrical work  
HB 2214 and SB 1325 - occupational licensing of military service members, veterans, and spouses

HB 2403 – regulation of residential service companies and contracts

HB 2878 -renewal of a plumbing license

HB 3032 – occupational licenses issued to applicants licensed in other jurisdictions

SB 766 – licensing employees of fire sprinkler system contractors

SB 787 – reduced licensing fees for former license holders

SB 964 – plumbing, air conditioning and electrical services performed by an out of state contractor as a volunteer during a disaster

SB 1168 – the regulation of reroofing contractors

Internships Provided to Career and Technology High School Students. Several bills relating to CTE internships have been filed. HB 966 by Rep. Harold Dutton (D-Houston) and SB 685 by Sen. Carol Alvarado (D-Houston) provide for a sales and use tax refund or franchise tax credit for businesses that employ apprentices and SB 570 by Sen. Brandon Creighton (R-Conroe) provides a franchise tax credit. Sen. Creighton also filed SB 774 which provides a franchise tax credit for taxable entities offering tuition reimbursement to employees. HB 580 by Rep. Shawn Thierry (D-Houston) authorizes school districts to reimburse employers for the cost of providing a paid internship to CTE students.

Mechanics' and Materialmen's Liens. The following bills affecting the provisions of mechanics' and materialmen's liens have been filed, and TACCA is monitoring them: HB 589, HB 1918, HB 2024, HB 2346, SB 845 and SB 921.