

BILL ANALYSIS

Senate Research Center

H.B. 217
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Business & Commerce
5/10/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Texas State Board of Plumbing Examiners (board) is required to adopt three plumbing codes. In an effort to achieve national uniformity, the International Code Council (ICC) was established in 1994 as a nonprofit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. The founders of the ICC are Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO), and Southern Building Code Congress International, Inc. (SBCCI). Since the early part of the last century, these nonprofit organizations have developed the three separate sets of model codes used throughout the United States. Although regional code development has been effective and responsive to our country's needs, the time has come for a single set of codes. The nation's three model code groups have responded by creating the ICC. C.S.H.B. 217 requires the board to adopt any plumbing code published by the ICC and authorizes the board by rule to adopt later editions of specified plumbing codes.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas State Board of Plumbing Examiners in SECTION 3 (Section 5B, Article 6243-101, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2(5), The Plumbing License Law (Article 6243-101, V.T.C.S.), to define "plumbing inspector."

SECTION 2. Amends Section 3(a), The Plumbing License Law (Article 6243-101, V.T.C.S.), to require certain acts, work, and conduct to be expressly permitted without license.

SECTION 3. Amends Section 5B, The Plumbing License Law (Article 6243-101, V.T.C.S.), as follows:

Sec. 5B. ADOPTION OF PLUMBING CODES. Requires the Texas State Board of Plumbing Examiners (board) to adopt certain plumbing codes, as those existed on May 31, 2001.

(b) Authorizes the board by rule to adopt later editions of the plumbing codes listed under Subsection (a) of this section.

(c) Requires plumbing installed in an area not otherwise subject to regulation under this Act by a person licensed under this Act to be installed in accordance with a plumbing code adopted by the board under Subsection (a) or (b) of this section.

(d) Authorizes a municipality or an owner of a public water system to amend any provisions of the codes and standards to conform to local concerns that do not substantially vary with rules or laws of this state. Deletes text regarding adopt

standards.

(e) Requires plumbing installed in compliance with a code adopted under Subsection (a), (b), or (d) of this section to be inspected by a plumbing inspector. Authorizes the political subdivision, to perform this inspection, to contract with any plumbing inspector paid directly by the political subdivision. Requires the plumbing inspector to be licensed as required by Section 14(a) of this Act.

SECTION 4. Authorizes plumbing installed in a jurisdiction that has adopted the Southern Standard Plumbing Code or the National Standard Plumbing Code to continue to be installed in compliance with the applicable code until the jurisdiction chooses to adopt a new code allowed under this Act.

SECTION 5. (a) Provides that except as provided by Subsection (b), this Act takes effect September 1, 2001, and applies to certain items. Makes application of this Act prospective.

(b) Provides that Section 3(a) takes effect January 1, 2002.

SUMMARY OF COMMITTEE CHANGES

SECTION 3. Strikes previously proposed “any plumbing code” and replaces with “the International Plumbing Code.”

Strikes previously proposed SECTION 5.

Renumbers SECTION 6 as SECTION 5.