

BILL ANALYSIS

Senate Research Center
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S.B. 686
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law requires a person to have three years of air conditioning technician experience in order to qualify for a heating, ventilation, air conditioning, and refrigeration (HVACR) license. However, there is no mechanism for the Texas Department of Licensing and Regulation (department) to verify the length of time a technician has been engaged in the HVACR industry.

As proposed, S.B. 686 requires air conditioning technicians to register annually with the department. Technicians will receive an identification card noting their status as a registered HVACR technician. In addition, S.B. 686 requires the department to conduct criminal background checks of all technicians who register, at the time of initial registration, and annually as registrations are renewed. This legislation will bring the HVACR industry more in line with the recognized structures of other trades such as plumbing and electrical contractors.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Texas Department of Licensing and Regulation in SECTION 2 (Section 1302.502, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1302.002, Occupations Code, by adding Subdivisions (5-a) and (17) to define "air conditioning and refrigeration technician" and "registered technician."

SECTION 2. Amends Chapter 1302, Occupations Code, by adding Subchapter K, as follows:

SUBCHAPTER K. AIR CONDITIONING AND REFRIGERATION TECHNICIANS

Sec. 1302.501. REGISTRATION REQUIRED. Prohibits a person from acting as an air conditioning and refrigeration technician unless the person holds a certificate of registration issued under this subchapter. Provides that a certificate is valid throughout the state.

Sec. 1302.502. RULES. Requires the executive director of the Texas Department of Licensing and Regulation (executive director) to adopt certain rules relating to registered technicians and license holders under this chapter.

Sec. 1302.503. SUPERVISION REQUIREMENTS FOR REGISTRANTS. (a) Requires an air conditioning and refrigeration technician to be supervised by an air conditioning and refrigeration contractor licensed under this chapter.

(b) Requires a certificate holder to notify the Texas Department of Licensing and Regulation (department) in writing not later than the 30th day after the date on which a change occurs in the identity of an air conditioning and refrigeration contractor who supervises the certificate holder.

Sec. 1302.504. APPLICATION; FEE. (a) Requires an applicant for a certificate to submit an application on a form prescribed by the executive director.

(b) Requires the completed application to be accompanied by an application fee and certain information about the supervising contractor.

(c) Authorizes the department to examine any criminal conviction, guilty plea, or deferred adjudication of an applicant, including obtaining any criminal history record information permitted by law.

Sec. 1302.505. ISSUANCE AND TERM OF REGISTRATION. Requires the department, on receipt of a complete application, to issue a certificate to an applicant who meets the requirements of the subchapter. Provides that a certificate is valid for one year.

Sec. 1302.506. RENEWAL OF REGISTRATION. Requires a certificate holder to complete certain steps in order to renew a certificate.

SECTION 3. Requires the executive director to adopt rules implementing Subchapter K, Chapter 1302, Occupations Code, as added by this Act, not later than December 31, 2005.

SECTION 4. Effective date: September 1, 2005, excepting Sections 1302.501 and 1302.503, Occupations Code, which take effect June 30, 2006.