

## **BILL ANALYSIS**

Senate Research Center

S.B. 1582  
By: Hughes  
Natural Resources & Economic Development  
5/28/2021  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Railroad Commission of Texas (RRC) certifies individuals engaged in liquefied petroleum gas (aka propane) (LPG), liquefied natural gas (LNG), and compressed natural gas (CNG) activities. In order to receive an LPG, LNG, or CNG certification, an individual must successfully complete an examination. Historically, certification examinations for LPG, LNG, and CNG applicants have been paper-based and administered in person by RRC staff.

Interested parties observe that current statute precludes third-party testing services, including online proctoring services, from administering RRC LPG, LNG, or CNG certification exams. Specifically, Section 113.088(b), Natural Resources Code, requires that a testing service company collect the examination fee that must be paid to RRC. Interested parties observe that testing services should not be required to serve as collecting agents for fees that should be paid directly to RRC. Further, interested parties observe that these fees should be collected directly by RRC in order to ensure proper administration. This current requirement for fee collection inhibits RRC's ability to select testing or proctoring services for administering certification examinations.

S.B. 1582 strikes the requirement that a testing service company collect an examination fee from an LPG certification applicant. The certification applicant would simply be required to pay that fee, which is already required by statute, to RRC. S.B. 1582 also allows proctoring services to administer LPG, LNG, and CNG examinations. This change allows other types of testing providers, including online providers, to offer RRC certification examinations.

S.B. 1582 provides RRC with the flexibility needed to utilize third-party testing services, including online proctoring services, for administering certification examinations for LPG, LNG, and CNG certifications. The changes in S.B. 1582 will enable RRC to contract with testing service or proctoring companies that provide the best value to the state. This change would allow RRC to offer LPG, LNG, and CNG certification examination options online, or at testing service locations outside of RRC offices. These changes will improve the efficiency of RRC's LPG, LNG, and CNG certification program while offering greater convenience to those individuals seeking an LPG, LNG, or CNG certification.

S.B. 1582 amends current law relating to examinations for applicants for or holders of licenses or registrations to perform certain activities pertaining to compressed natural gas or liquefied natural gas.

### **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 Sections 113.087(a), (j), and (k), Natural Resources Code, as follows:

- (a) Requires the Railroad Commission of Texas (RRC) to prepare, administer, and grade or review an examination required by Section 113.087 (Course of Instruction, Examination, and Seminar Requirements) or contract with a testing or proctoring service, rather than a testing service, to prepare, administer, and grade or review the examination.

(j) and (k) Makes conforming changes to these subsections.

SECTION 2. Amends Section 113.088(b), Natural Resources Code, as follows:

(b) Requires RRC, before seminar attendance or examination of any person, except as provided by Subsection (c) (relating to RRC's authority to exempt voluntary firemen, or public employees of the State of Texas, federal government, or state or federal subdivisions from certain fees), to receive a nonrefundable fee for each examination or seminar registration. Deletes existing text relating to the nonrefundable fee a testing service that administers an examination is required to collect.

SECTION 3. Amends Sections 116.034(e) and (f), Natural Resources Code, to make conforming changes.

SECTION 4. Effective date: September 1, 2021.