

BILL ANALYSIS

Senate Research Center

S.B. 1668
By: Hughes
Natural Resources & Economic Development
6/3/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The current liquefied petroleum gas cylinder licensing process is not feasible and provides numerous obstacles to obtain licenses for employees of retail stores who refill propane cylinders. These obstacles include a lack of eight-hour state-sponsored lecture and testing slots based in Austin. Further, the lectures consist of content unnecessary to safely dispense propane into cylinders. Thus, retail stores are not able to adequately staff this need for their customers. Because of the difficulty in obtaining licenses from the state, many businesses do not sell propane in Texas, further restricting opportunities for Texas consumers to refill at lower prices and at convenient times.

During the recent winter storm, thousands of Texas consumers were denied propane that was needed to keep warm and heat food—many because the staff at the one licensed dispenser in their area was not able to get to the store. The lack of testing slots and the difficulty of getting to testing sites was a problem before COVID-19 and the recent winter storm, and that difficulty was only compounded by the recent storm.

S.B. 1668 will simplify the licensing process for dispensing propane into a cylinder in Texas at retail establishments while maintaining the highest standards of safety and training based on the standards developed by the congressionally-chartered national propane safety organization, the Propane Education and Research Council, or from the state directly. This training can also be hands-on, and more effective, versus classroom-only training.

Twenty-five states, including California and all of New England, have no state-mandated training or licensing required to dispense propane. After passage, Texas will still have higher propane standards than the rest of the country.

(Original Author's / Sponsor's Statement of Intent)

S.B. 1668 amends current law relating to certification and examination requirements for persons engaged in liquefied petroleum gas activities.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Railroad Commission of Texas in SECTION 2 (Section 113.0955, Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 113.095, Natural Resources Code, to read as follows:

Sec. 113.095. LICENSE AND EXAMINATION BY ENDORSEMENT: OUT-OF-STATE LICENSE OR CERTIFICATION.

SECTION 2. Amends Subchapter D, Chapter 113, Natural Resources Code, by adding Section 113.0955, as follows:

Sec. 113.0955. CERTIFICATION AND EXAMINATION BY ENDORSEMENT: NATIONALLY RECOGNIZED TRAINING. Requires the Railroad Commission of Texas (RRC) by rule to waive the requirements of Section 113.087 (Course of Instruction, Examination, and Seminar Requirements) for an applicant for a certificate for cylinder filling who:

- (1) has completed training consistent with the guidelines established by the Propane Education & Research Council;
- (2) submits proof of completion of training described by Subdivision (1);
- (3) submits an application for that type of certificate;
- (4) pays the applicable original nonrefundable certification fee as established by RRC under Section 113.088 (Examination; Seminar Fees); and
- (5) completes an examination for cylinder filling that is administered by RRC, that is approved by RRC as a comparable examination to the examination administered by RRC and submits proof of completion of the examination to RRC, or that uses Propane Education & Research Council training and examination materials and submits proof of completion of the examination to RRC.

SECTION 3. Effective date: September 1, 2021.