

BILL ANALYSIS

Senate Research Center

S.B. 1668
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Natural Resources & Economic Development
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As Filed

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 dispensing 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.

As proposed, S.B. 1668 amends current law relating to liquefied petroleum gas cylinder licensing.

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 Section 113.095, Natural Resource Code, as follows:

Sec. 113.095. LICENSE AND EXAMINATION BY ENDORSEMENT. (a) Authorizes the Railroad Commission of Texas (RRC) to waive any license requirement for an applicant with a valid license from another state having license requirements substantially equivalent to those of this state, or an applicant who has completed training under guidelines established by the Propane Education and Research Council (PERC).

(b) Authorizes RRC by rule to waive the requirements of Section 113.087 (Course of Instruction, Examination, and Seminar Requirements) for an applicant holding a valid examination certificate issued by another state having certification requirements substantially equivalent to those of this state.

(c) Requires RRC to waive the requirements of Section 113.087 for an applicant who has completed training under guidelines established by PERC and submits proof of completion of training.

(d) Requires an applicant who has completed training under guidelines established by PERC to also submit the required application together with the original nonrefundable license fee established by RRC under Section 113.082 (Categories of LP-Gas Activities; Fees) and proof of completion of training.

(e) Authorizes an applicant who satisfies the provisions of this subchapter to engage in the activities set forth in Chapter 113 (Liquefied Petroleum Gas) just as one who receives a license in this state.

SECTION 2. Effective date: upon passage or September 1, 2021.