

1-1 By: Smith (Senate Sponsor - Eltife) H.B. No. 3741
 1-2 (In the Senate - Received from the House April 27, 2015;
 1-3 April 30, 2015, read first time and referred to Committee on
 1-4 Business and Commerce; May 12, 2015, reported favorably by the
 1-5 following vote: Yeas 7, Nays 0; May 12, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to standards for elevators, escalators, and related
 1-20 equipment; authorizing a fee.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 754.014(a), Health and Safety Code, is
 1-23 amended to read as follows:

1-24 (a) The commission by rule shall adopt standards for the
 1-25 installation, maintenance, alteration, operation, testing, removal
 1-26 from service, and inspection of equipment used by the public in:

1-27 (1) buildings owned or operated by the state, a
 1-28 state-owned institution or agency, or a political subdivision of
 1-29 the state; and

1-30 (2) buildings that contain equipment that is open to
 1-31 the general public, including a hotel, motel, apartment house,
 1-32 boardinghouse, church, office building, shopping center, or other
 1-33 commercial establishment.

1-34 SECTION 2. Section 754.015(d), Health and Safety Code, is
 1-35 amended to read as follows:

1-36 (d) The executive director may charge a reasonable fee as
 1-37 set by the commission for:

1-38 (1) registering or renewing registration of an
 1-39 elevator inspector;

1-40 (2) registering or renewing registration of a
 1-41 contractor;

1-42 (3) applying for a certificate of compliance;

1-43 (4) filing an inspection report as required by Section
 1-44 754.019(a)(3), 30 days or more after the date the report is due, for
 1-45 each day the report remains not filed after the date the report is
 1-46 due;

1-47 (5) submitting for review plans for the installation
 1-48 or alteration of equipment;

1-49 (6) reviewing and approving continuing education
 1-50 providers and courses for renewal of elevator inspector and
 1-51 contractor registrations;

1-52 (7) applying for a waiver, new technology variance, or
 1-53 delay; ~~and~~

1-54 (8) attending a continuing education program
 1-55 sponsored by the department for registered elevator inspectors; and

1-56 (9) applying to remove equipment from service.

1-57 SECTION 3. Section 754.019(a), Health and Safety Code, is
 1-58 amended to read as follows:

1-59 (a) The owner shall:

1-60 (1) have the equipment inspected annually by a
 1-61 registered elevator inspector, unless the equipment has been

2-1 removed from service in accordance with commission rules;

2-2 (2) obtain an inspection report from the inspector
2-3 evidencing that all equipment in a building on the real property was
2-4 inspected in accordance with this chapter and rules adopted under
2-5 this chapter;

2-6 (3) file with the executive director each inspection
2-7 report, and all applicable fees, not later than the 30th calendar
2-8 day after the date on which an inspection is made under this
2-9 chapter;

2-10 (4) display the certificate of compliance for the
2-11 equipment in a publicly visible area as defined by commission rule;
2-12 and

2-13 (5) maintain the equipment in compliance with the
2-14 standards and codes adopted under commission rules.

2-15 SECTION 4. As soon as practicable after the effective date
2-16 of this Act, the Texas Commission of Licensing and Regulation shall
2-17 adopt the rules necessary to implement the changes in law made by
2-18 this Act.

2-19 SECTION 5. This Act takes effect immediately if it receives
2-20 a vote of two-thirds of all the members elected to each house, as
2-21 provided by Section 39, Article III, Texas Constitution. If this
2-22 Act does not receive the vote necessary for immediate effect, this
2-23 Act takes effect September 1, 2015.

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