

1-1 By: Goldman (Senate Sponsor - Perry) H.B. No. 3744  
 1-2 (In the Senate - Received from the House May 3, 2023;  
 1-3 May 5, 2023, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 19, 2023, reported favorably by  
 1-5 the following vote: Yeas 9, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
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 the regulation of water well drillers and water well  
 1-20 pump installers.

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

1-22 SECTION 1. Section 1901.051(a), Occupations Code, is  
 1-23 amended to read as follows:

1-24 (a) The department ~~[, with the advice of the council,]~~ shall  
 1-25 provide for the examination of license applicants [prepare  
 1-26 licensing examinations].

1-27 SECTION 2. Section 1901.155, Occupations Code, is amended  
 1-28 to read as follows:

1-29 Sec. 1901.155. LICENSE EXPIRATION ~~[, RENEWAL]~~. ~~[(a)]~~ A  
 1-30 license issued under this chapter is valid for one or two years as  
 1-31 determined by commission rule [expires annually. On or before the  
 1-32 license expiration date, a license holder must pay an annual  
 1-33 renewal fee to the department].

1-34 SECTION 3. Section 1901.201, Occupations Code, is amended  
 1-35 to read as follows:

1-36 Sec. 1901.201. EXAMINATION. The department may prepare,  
 1-37 recognize, administer, or arrange for the administration of an  
 1-38 examination required [shall offer examinations for a license] under  
 1-39 this chapter.

1-40 SECTION 4. Section 1901.202(a), Occupations Code, is  
 1-41 amended to read as follows:

1-42 (a) The department shall ensure that examinations are  
 1-43 designed [design written examinations] to disqualify a person who  
 1-44 lacks the necessary knowledge of drilling, of completion and  
 1-45 plugging methods and techniques, and of groundwater formations to  
 1-46 the extent that drilling by the person would create a serious risk  
 1-47 of polluting fresh water.

1-48 SECTION 5. Section 1902.051(a), Occupations Code, is  
 1-49 amended to read as follows:

1-50 (a) The department ~~[, with the advice of the council,]~~ shall  
 1-51 provide for the examination of license applicants [prepare  
 1-52 licensing examinations].

1-53 SECTION 6. Section 1902.155, Occupations Code, is amended  
 1-54 to read as follows:

1-55 Sec. 1902.155. LICENSE EXPIRATION ~~[, RENEWAL]~~. ~~[(a)]~~ A  
 1-56 license issued under this chapter is valid for one or two years as  
 1-57 determined by commission rule [expires annually. On or before the  
 1-58 license expiration date, a license holder must pay an annual  
 1-59 renewal fee to the department].

1-60 SECTION 7. Section 1902.201, Occupations Code, is amended  
 1-61 to read as follows:

2-1           Sec. 1902.201. EXAMINATION. The department may prepare,  
2-2 recognize, administer, or arrange for the administration of an  
2-3 examination required [~~shall offer examinations for a license~~] under  
2-4 this chapter.

2-5           SECTION 8. Section 1902.202, Occupations Code, is amended  
2-6 to read as follows:

2-7           Sec. 1902.202. CONTENTS OF EXAMINATION. The department  
2-8 shall ensure that examinations are designed [~~design written~~  
2-9 ~~examinations~~] to disqualify a person who lacks the knowledge of  
2-10 pump installation to the extent that pump installation by the  
2-11 person would create a serious risk of polluting fresh water.

2-12           SECTION 9. The following provisions of the Occupations Code  
2-13 are repealed:

- 2-14           (1) Section 1901.054;
- 2-15           (2) Section 1901.203;
- 2-16           (3) Section 1901.204;
- 2-17           (4) Section 1902.054; and
- 2-18           (5) Section 1902.203.

2-19           SECTION 10. Not later than January 1, 2024, the Texas  
2-20 Commission of Licensing and Regulation shall adopt rules to  
2-21 implement the changes in law made by this Act to Chapters 1901 and  
2-22 1902, Occupations Code.

2-23           SECTION 11. Sections 1901.155 and 1902.155, Occupations  
2-24 Code, as amended by this Act, apply only to a license issued under  
2-25 Chapter 1901 or 1902, Occupations Code, that expires on or after  
2-26 January 1, 2024. A license issued under Chapter 1901 or 1902,  
2-27 Occupations Code, that expires before January 1, 2024, is governed  
2-28 by the law in effect immediately before the effective date of this  
2-29 Act, and the former law is continued in effect for that purpose.

2-30           SECTION 12. This Act takes effect September 1, 2023.

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