



# Plumbing Licensing & Enforcement

Stakeholder Meeting

June 12, 2019

Presented by:

Michael Shannon, PE, CBO - Director

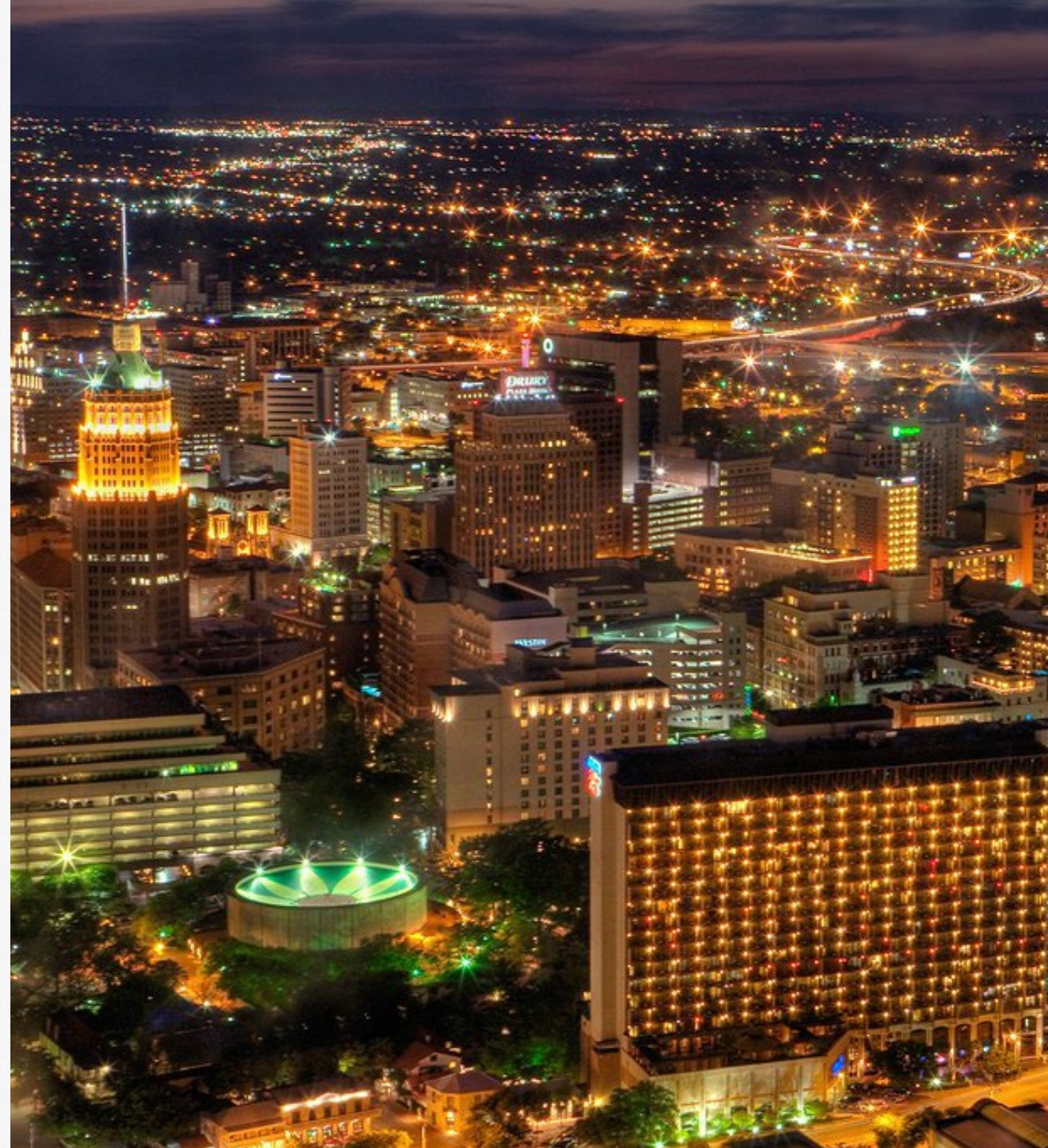




**Welcome...**

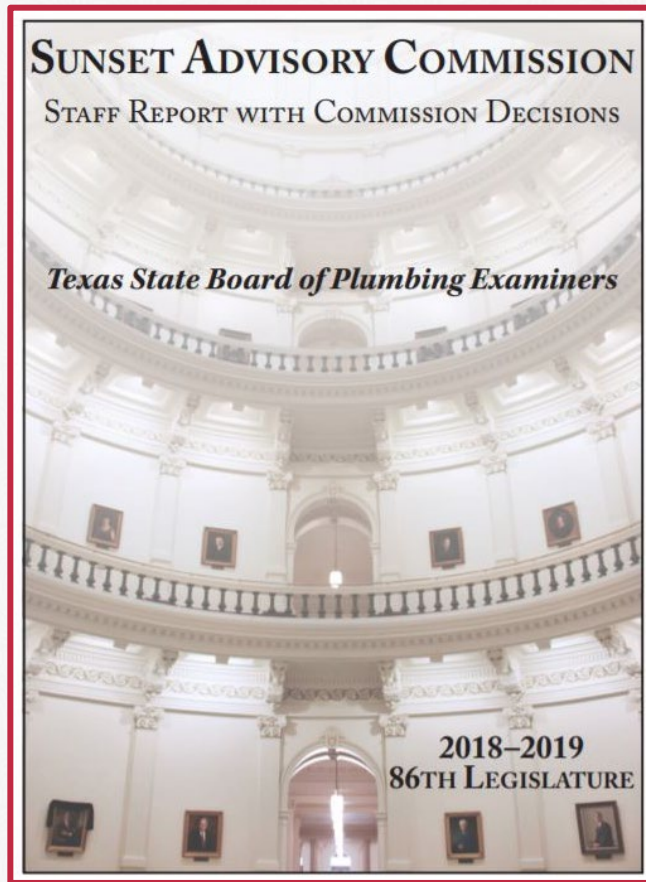
To Development  
Services  
Department

And to the City of  
San Antonio





# Overview



- If Gov. Abbott does not extend the Texas State Board of Plumbing Examiners (TSBPE)
  - We need to have a plan in place for licensing and enforcement of plumbers in our area

# Timeline

- TSBPE will end operations Sept. 1, 2020
- The plumbing license law expires in Sept. 1, 2019



## SUNSET ADVISORY COMMISSION

PO Box 13066 ♦ Austin Texas 78711-3066

### STATEMENT: SUNSET DATE FOR TEXAS STATE BOARD OF PLUMBING EXAMINERS

May 30, 2019

The Texas State Board of Plumbing Examiners (TSBPE) and the Plumbing License Law will be abolished and expire on Sept. 1, 2019, after Senate Bill 621 did not pass during the 86th Texas Legislature, Regular Session.<sup>1</sup> The bill contained the Sunset Advisory Commission's statutory recommendations to continue the agency and regulation of plumbing with improvements.

Since 1977, the Texas Legislature has abolished 40 agencies and programs through the Sunset process. Based on state laws and precedent, the following are likely to occur during the process of abolishing the agency and the Plumbing License Law.

- State laws and board rules that regulate plumbing will expire and the state agency will be abolished on Sept. 1, 2019. The board may not adopt new rules as of Sept. 1, 2019.<sup>2</sup>
- As of Sept. 1, 2019, all current Texas plumbing licenses and registrations will expire.
- The Sunset Act authorizes a one-year wind-down period for abolished agencies, and TSBPE will close its doors on Sept. 1, 2020.<sup>3</sup>
- TSBPE may continue to enforce the Plumbing License Law and board rules during its wind-down period. However, the agency may not take action against violations that occur after Sept. 1, 2019.<sup>4</sup>
- The agency's property and records will transfer to the comptroller on Sept. 1, 2020, unless the governor designates another custodial agency.<sup>5</sup>

Please contact TSBPE directly for information about the Sunset abolishment schedule at (512) 936-5200 or at [tsbpe.texas.gov](http://tsbpe.texas.gov).

#### Online Resources

- [Senate Bill 621](#), 86th Texas Legislature, Regular Session, 2019
- Texas state plumbing statutes: [Chapter 1301](#), Texas Occupations Code
- Sunset Advisory Commission statutes: [Chapter 325](#), Texas Government Code
- Sunset Advisory Commission [TSBPE reports](#)

<sup>1</sup> S.B. 621, 86th Texas Legislature, Regular Session, 2019, available at <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=86R&Bill=SB621>.

<sup>2</sup> Section 1301.003, Texas Occupations Code.

<sup>3</sup> Section 325.017, Texas Government Code.

<sup>4</sup> Section 311.031, Texas Government Code; *Maroney v. Chip Buerger Custom Homes, Inc.*, 2018 Tex. App. LEXIS 4461 (Tex. App.—Austin June 20, 2018 pet. denied)(not designated for publication); Tex. Att'y Gen. OR2009-18006.

<sup>5</sup> Section 325.017(e), Texas Government Code.

# Concern

- If TSBPE is not extended by Gov. Abbott:
  - Municipalities need to have plan for licensing and enforcement for plumbers

1

## **DEVELOP TESTING & STANDARDS**

- To regulate the plumbing industry
- Safety and wellbeing of citizens remain a top priority

2

## **CREATE ORDINANCE**

- To address testing, licensing & enforcement
- Develop with stakeholders



# Objective

- Top concern:
  - Safety and wellbeing of citizens
- Work together to develop required standards to properly regulate the plumbing industry:
  - Testing
  - Endorsements
  - Licensing
  - Enforcement



# Contacts

Ramiro Carrillo

- 210-207-8314
- [Ramiro.Carrillo@sanantonio.gov](mailto:Ramiro.Carrillo@sanantonio.gov)

David Rohde

- 210-207-8279
- [David.Rohde@sanantonio.gov](mailto:David.Rohde@sanantonio.gov)

Joe Jones

- 210-207-0148
- [Joe.Jones@sanantonio.gov](mailto:Joe.Jones@sanantonio.gov)





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