

ELECTRICIANS
Title 8, Occupations Code
Chapter 1305
Administered by the Texas Department of Licensing and Regulation
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SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1305.001. Short Title.

This chapter may be cited as the Texas Electrical Safety and Licensing Act.

Sec. 1305.002. Definitions.

In this chapter:

- (1) "Advisory board" means the Electrical Safety and Licensing Advisory Board.
- (1-a) "Agricultural use" means a use or activity involving agriculture, as defined by Section 11.002, Water Code, other than the processing of an agricultural commodity.
- (2) "Commission" means the Texas Commission of Licensing and Regulation.
- (3) "Department" means the Texas Department of Licensing and Regulation.
- (4) "Electrical code" means the National Electrical Code published by the National Fire Protection Association as adopted by the commission.
- (5) "Electrical contracting" means the business of designing, installing, erecting, repairing, or altering electrical wires or conductors to be used for light, heat, power, or signaling purposes. The term includes the installation or repair of ducts, raceways, or conduits for the reception or protection of wires or conductors and the installation or repair of any electrical machinery, apparatus, or system used for electrical light, heat, power, or signaling.
- (6) "Electrical contractor" means a person engaged in electrical contracting.
- (7) "Electrical engineer" means a person licensed under Chapter 1001 who possesses the necessary qualifications, training, and technical knowledge to perform electrical engineering work in this state.
- (8) "Electrical inspector" means a person certified by the International Association of Electrical Inspectors or International Code Council.
- (9) "Electrical sign contracting" means the business of designing, manufacturing, installing, connecting, reconnecting, or servicing an electric sign, cold cathode, neon gas tubing, or outline gas tubing, or altering electric sign wiring or conductors either inside or outside of a building.
- (10) "Electrical sign contractor" means a person engaged in electrical sign contracting.
- (11) "Electrical work" means any labor or material used in installing, maintaining, or extending an electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. The term includes service entrance conductors as defined by the National Electrical Code.
- (12) "Executive director" means the executive director of the department.

- (12-a) "Residential appliance" means equipment that:
 - (A) is installed as a unit in a single-family or multifamily dwelling that does not exceed four stories;
 - (B) is directly connected to an electrical circuit; and
 - (C) performs a specific function.
- (12-b) "Residential appliance installation" means electrical work that is limited to the connection or disconnection of a residential appliance to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.
- (12-c) "Residential appliance installation contracting" means the business of residential appliance installation.
- (12-d) "Residential appliance installation contractor" means a business entity, other than an electrical contractor or electrical sign contractor, that is engaged in residential appliance installation contracting.
- (12-e) "Residential appliance installer" means a person, other than a licensed electrician, who is licensed to perform residential appliance installation.
- (13) "Residential wireman" means a person licensed under this chapter who may only perform electrical installations in single-family and multifamily dwellings not exceeding four stories.

Sec. 1305.003. Exemptions; Application of Chapter.

- (a) This chapter does not apply to:
 - (1) the installation of electrical equipment in a ship, watercraft other than a floating building, railway rolling stock, aircraft, motor vehicle, or recreational vehicle;
 - (2) the installation of electrical equipment underground in a mine and in self-propelled mobile surface mining machinery and its attendant electrical trailing cable;
 - (3) the installation of electrical equipment for generation, transformation, transmission, or distribution of power used exclusively to operate railway rolling stock or exclusively for signaling and communications purposes;
 - (4) the installation, maintenance, alteration, or repair of communications equipment provided by a telecommunications provider;
 - (5) the installation, maintenance, alteration, or repair of electrical equipment under the exclusive control of an electric utility, power generation company as defined by Sections 31.002(1) and (10) Utilities Code, electric cooperative, or municipally owned utility and used for communications or metering, or for the generation, control, transformation, transmission, and distribution of electrical energy, and located:
 - (A) in a building used exclusively by a utility or power generation company for those purposes;
 - (B) outdoors on property owned or leased by the utility or power generation company;

- (C) on public highways, streets, roads, or other public rights-of-way; or
 - (D) outdoors by established rights in vaults or on private property;
- (6) work not specifically regulated by a municipal ordinance that is performed in or on a dwelling by a person who owns and resides in the dwelling;
 - (7) work involved in the manufacture of electrical equipment that includes the on-site and off-site manufacturing, commissioning, testing, calibrating, coordinating, troubleshooting, or evaluating of electrical equipment, the repairing or retrofitting of electrical equipment with components of the same ampacity, and the maintenance and servicing of electrical equipment within the equipment's enclosure that is performed by an authorized employee or authorized representative of an electrical equipment manufacturer and limited to the type of products manufactured by the manufacturer;
 - (8) electrical work if:
 - (A) the work is performed by a person who does not engage in electrical work for the public;
 - (B) the work is performed by a person regularly employed as a maintenance person or maintenance electrician for a business; and
 - (C) the electrical work does not involve the installation of electrical equipment during new construction as defined by rules adopted under Chapter 151, Tax Code;
 - (9) the installation, maintenance, alteration, or repair of electrical equipment or associated wiring under the exclusive control of a gas utility and used for communications or metering or for the control, transmission, or distribution of natural gas;
 - (10) thoroughfare lighting, traffic signals, intelligent transportation systems, and telecommunications controlled by a governmental entity;
 - (11) electrical connections supplying heating, ventilation, and cooling and refrigeration equipment, including any required disconnect exclusively for the equipment, if the service is performed by a licensed air conditioning and refrigeration contractor under Chapter 1302;
 - (12) the design, installation, erection, repair, or alteration of Class 1, Class 2, or Class 3 remote control, signaling, or power-limited circuits, fire alarm circuits, optical fiber cables, or communications circuits, including raceways, as defined by the National Electrical Code;
 - (13) landscape irrigation installers, as necessary to perform the installation and maintenance of irrigation control systems, and landscapers, as necessary to perform the installation and maintenance of low-voltage exterior lighting and holiday lighting excluding any required power source;
 - (14) electrical work performed at a business that operates:
 - (A) a chemical plant, petrochemical plant, refinery, natural gas plant, natural gas treating plant, pipeline, or oil and gas exploration and production operation by a person who works solely for and is employed by that business; or

- (B) a chemical plant, petrochemical plant refinery, natural gas plant, or natural gas treatment plant by a person who under a contract of at least 12 months' duration performs electrical work for that plant and:
 - (i) the electrical work is not performed during new construction as defined by rules adopted under Chapter 151, Tax Code; or
 - (ii) the person is not working for a contractor that has a principal place of business in another state or territory of the United States or a foreign country;
- (15) the installation, maintenance, alteration, or repair of elevators, escalators, or related equipment, excluding any required power source, regulated under Chapter 754, Health and Safety Code;
- (16) the installation, maintenance, alteration, or repair of equipment or network facilities provided or utilized by a cable operator, as that term is defined by 47 U.S.C. Section 522, as amended;
- (17) the location, design, construction, extension, maintenance, and installation of on-site sewage disposal systems in accordance with Chapter 366, Health and Safety Code, or an on-site sewage facility installer licensed under Chapter 37, Water Code;
- (18) electrical work performed on a building, structure, or equipment in agricultural use as defined by Section 11.002, Water Code, other than the processing of an agricultural commodity;
- (19) the installation, maintenance, alteration, or repair of well pumps and equipment in accordance with Chapter 1902;
- (20) electrical work required for the construction and assembly of HUD-Code manufactured housing or modular housing and building units, other than the installation of service entrance conductors, that is performed by a licensed manufacturer or installer under Chapter 1201 or 1202, as applicable, if work performed is within the scope of the license as defined by applicable statutes and administrative rules; and
- (21) work performed by a plumber who holds a license or endorsement or is registered under Chapter 1301 that is necessary to install, service, maintain, repair, or replace any type of plumbing fixture or appliance, as described by Section 1301.002(7), including a water heater, food disposer, garbage disposal, water softener, dishwashing machine, and clothes washing machine on existing electrical circuits only.

NOTE: The text of paragraph (21) as amended by Acts of the 80th Texas Legislature, House Bill 1029 relating to an exemption from electrician licensing requirements for certain work performed by a plumber is effective June 15, 2007.

- (21) the maintenance or repair of a residential appliance by a residential appliance dealer or manufacturer or a person authorized by a residential appliance dealer or manufacturer using only components of the same type and ampacity as the original components.
- (b) This chapter applies to all premises wiring that originates where an electric utility's facilities end and a nonutility customer's electric facilities begin, except as permitted by Section 161.123(2)(A), Utilities Code.
- (c) This chapter applies to an installation in a building used by a utility for purposes other than a purpose listed in this section, including an office building, warehouse, garage, machine shop, or recreational building that is not an integral part of a generating plant, substation, or control center.

- (d) This chapter does not require a political subdivision of this state, including a school district of a municipality, to hold an electrical contractor license or an electrical sign contractor license under this chapter to be authorized to employ a person to perform electrical work for the political subdivision.
- (e) Subsection (d) does not exempt an employee of a political subdivision from the requirement of holding the appropriate license under this chapter to perform electrical work.
- (f) For purposes of Subsection (a)(21), any installation or replacement of a plumbing fixture or appliance must meet the requirements of existing electrical circuits.

NOTE: The text of subsection (f) added by Acts of the 80th Texas Legislature, House Bill 1029 relating to an exemption from electrician licensing requirements for certain work performed by a plumber is effective June 15, 2007.

SUBCHAPTER B. ADVISORY BOARD

Sec. 1305.051. Electrical Safety and Licensing Advisory Board.

- (a) The advisory board consists of nine members appointed by the presiding officer of the commission with the approval of the commission as follows:
 - (1) three master electrician members;
 - (2) three journeyman electrician members; and
 - (3) three public members.
- (b) The advisory board members must include:
 - (1) two members who are affiliated with a statewide association of electrical contractors not affiliated with a labor organization;
 - (2) three members who are affiliated with a labor organization;
 - (3) one member who is not affiliated with a statewide association of electrical contractors or with a labor organization; and
 - (4) one member who is affiliated with a historically underutilized business, as that term is defined by Section 2161.001, Government Code.
- (c) A licensed electrical engineer or an electrical inspector may be appointed as a public member of the advisory board.
- (d) An appointment to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

Sec. 1305.052. Terms; Vacancies.

- (a) Advisory board members serve terms of six years, with the terms of three members expiring on February 1 of each odd-numbered year.
- (b) A member may not consecutively serve more than two full terms.

- (c) If a vacancy occurs during a term, the presiding officer of the commission shall appoint a replacement who meets the qualifications of the vacated position to serve for the remainder of the term.

Sec. 1305.053. Presiding Officer.

The presiding officer of the commission shall appoint one of the advisory board members to serve as presiding officer of the advisory board for a term of one year. The presiding officer of the advisory board may vote on any matter before the advisory board.

Sec. 1305.054. Compensation; Reimbursement of Expenses.

Advisory board members may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the advisory board, subject to the General Appropriations Act.

Sec. 1305.055. Meetings.

The advisory board shall meet twice annually and may meet at other times at the call of the presiding officer of the commission.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 1305.101. General Powers and Duties.

- (a) The executive director or commission, as appropriate, shall:
 - (1) by rule establish the financial responsibility requirements for electrical contractors; and
 - (2) after publication of the National Electrical Code by the National Fire Protection Association every three years, adopt the revised National Electrical Code as the electrical code for the state.
- (b) The executive director or commissioner, as appropriate, may:
 - (1) establish reciprocity agreements with other states that have licensing requirements substantially equivalent to the requirements of this chapter; and
 - (2) take other action as necessary to administer and enforce this chapter.

Sec. 1305.102. Rules.

- (a) The executive director shall adopt rules for the licensing of electricians, sign electricians, electrical sign contractors, electrical contractors, residential appliance installers, and residential appliance installation contractors as prescribed by this chapter.
- (b) The executive director by rule shall prescribe descriptions of the types of activities that may be performed by each class of license holder under this chapter.
- (c) The executive director by rule shall adopt standards of conduct requirements for license holders under this chapter.

Sec. 1305.103. Fees.

The commission shall establish and collect reasonable and necessary fees in amounts sufficient to cover the costs of administering this chapter.

Sec. 1305.104. Powers and Duties of Advisory Board.

The advisory board shall provide advice and recommendations to the department on technical matters relevant to the administration and enforcement of this chapter, including examination content, licensing standards, electrical code requirements, and continuing education requirements.

Sec. 1305.105. Personnel.

The department may employ personnel necessary to administer and enforce this chapter. The department shall employ an electrical occupations and code specialist to oversee the electrical licensing and safety program.

SUBCHAPTER D. LICENSE REQUIREMENTS

Sec. 1305.151. License Required.

Except as provided by Section 1305.003, a person or business may not perform or offer to perform electrical work or residential appliance installation unless the person or business holds an appropriate license issued or recognized under this chapter.

NOTE: The text of Sec. 1305.151 as amended by Acts of the 80th Texas Legislature, Senate Bill 1222 relating to the licensing and regulation of residential appliance installers and residential appliance installation contractors take effect March 1, 2008.

Sec. 1305.152. Application Requirements.

- (a) An applicant for a license under this chapter must:
 - (1) submit to the department a completed application on a form prescribed by the executive director;
 - (2) submit to the department any other information required by executive director rule;
 - (3) demonstrate to the satisfaction of the executive director the appropriate amount of electrical work experience as required by this subchapter;
 - (4) demonstrate the applicant's honesty, trustworthiness, and integrity; and
 - (5) pay the application and examination fees.
- (b) The executive director shall adopt rules to establish a process by which the department shall evaluate the experience required of applicants for a license under this chapter.
- (c) The department may conduct an examination of any criminal conviction of an applicant, including obtaining any criminal history record information permitted by law.

Sec. 1305.153. Master Electrician.

- (a) An applicant for a license as a master electrician must:
 - (1) have at least 12,000 hours of on-the-job training under the supervision of a master electrician;
 - (2) have held a journeyman electrician license for at least two years; and
 - (3) pass a master electrician examination administered under this chapter.
- (b) A master electrician may:
 - (1) perform all electrical work, including electrical work performed by a master sign electrician;
 - (2) supervise an electrician;
 - (3) verify compliance with on-the-job training requirements for issuance of a master electrician license, master sign electrician license, journeyman electrician license, or journeyman sign electrician license; and
 - (4) serve as a master of record for an electrical sign contractor.

Sec. 1305.154. Master Sign Electrician.

An applicant for a license as a master sign electrician must:

- (1) have at least 12,000 hours of on-the-job training under the supervision of a master sign electrician; and
- (2) pass a master sign electrician examination administered under this chapter.

Sec. 1305.155. Journeyman Electrician.

An applicant for a license as a journeyman electrician must:

- (1) have at least 8,000 hours of on-the-job training under the supervision of a master electrician; and
- (2) pass a journeyman electrician examination administered under this chapter.

Sec. 1305.156. Journeyman Sign Electrician.

An applicant for a license as a journeyman sign electrician must:

- (1) have at least 8,000 hours of on-the-job training under the supervision of a master sign electrician; and
- (2) pass a journeyman sign electrician examination administered under this chapter.

Sec. 1305.157. Residential Wireman.

An applicant for a license as a residential wireman must:

- (1) have at least 4,000 hours of on-the-job training under the supervision of a master electrician or residential wireman; and

- (2) pass a residential wireman examination administered under this chapter.

Sec. 1305.158. Maintenance Electrician.

An applicant for a license as a maintenance electrician must:

- (1) have at least 8,000 hours of on-the-job training under the supervision of a master electrician or maintenance electrician; and
- (2) pass a maintenance electrician examination administered under this chapter.

Sec. 1305.159. Electrical Contractor.

(a) An applicant for a license as an electrical contractor must:

- (1) be licensed under this chapter as a master electrician or employ a person licensed under this chapter as a master electrician;
- (2) establish proof of financial responsibility in the manner prescribed by the executive director; and
- (3) maintain workers' compensation coverage for the contractor's employees through an insurance company authorized to engage in the business of insurance in this state or through self-insurance, or elect not to obtain workers' compensation coverage, as provided by Subchapter A, Chapter 406, Labor Code.

(b) A person who holds a master electrician license issued or recognized under this chapter may only be assigned to a single electrical contractor, unless the master electrician owns more than 50 percent of the electrical contracting business.

Sec. 1305.160. Electrical Sign Contractor.

(a) An applicant for a license as an electrical sign contractor must:

- (1) be licensed under this chapter as a master sign electrician or employ a person licensed under this chapter as a master sign electrician;
- (2) establish proof of financial responsibility in the manner prescribed by the executive director; and
- (3) maintain workers' compensation coverage for the contractor's employees through an insurance company authorized to engage in the business of insurance in this state or through self-insurance, or elect not to obtain workers' compensation coverage, as provided by Subchapter A, Chapter 406, Labor Code.

(b) A person who holds a master sign electrician license issued or recognized under this chapter may only be assigned to a single electrical sign contractor, unless the master sign electrician owns more than 50 percent of the electrical sign contracting business.

Sec. 1305.161. Apprentice; Temporary Apprentice.

- (a) Except as provided by Subsection (b), an applicant for a license as an electrical apprentice must be at least 16 years of age and be engaged in the process of learning and assisting in the installation of electrical work under the supervision of a licensed master electrician.
- (b) An applicant for a license as an electrical sign apprentice must be at least 18 years of age and be engaged in the process of learning and assisting in the performance of electrical sign work under the supervision of a licensed master sign electrician.
- (c) On the request of an applicant for an apprentice license, the executive director shall issue a temporary apprentice license that expires on the 21st day after the date of issuance to an applicant who meets the qualifications established by the executive director.
- (d) The commission by rule shall set the fee, establish the qualifications, and provide for the issuance of a temporary apprentice license under this section.

Sec. 1305.1615. Emergency Electrician License.

- (a) The commission by rule shall establish criteria and procedures for the issuance of an emergency electrician license following a disaster, as that term is defined by Section 418.004, Government Code, to a person licensed as an electrician in another state of the United States.
- (b) An emergency license issued under this section expires on the 90th day after the date of issuance.
- (c) The commission, with the advice of the advisory board, may adopt rules that provide for the extension of an emergency license issued under this section.

Sec. 1305.1616. Certain Applicants Who Are Veterans.

- (a) The department shall issue a license without examination to an individual who:
 - (1) was on active duty in the United States armed forces during the period of March 1, 2004, to June 1, 2004;
 - (2) submits an application and any other information required by department rule to the department not later than the 90th day after the date the individual is released or discharged from active duty in the armed forces;
 - (3) has the experience required for a license under this chapter, and
 - (4) pays the application fee.
- (b) This section expires January 1, 2007.

Sec. 1305.1617. Residential Appliance Installer.

An applicant for a license as a residential appliance installer must pass a residential appliance installer examination administered under this chapter.

Sec. 1305.1618. Residential Appliance Installation Contractor.

- (a) An applicant for a license as a residential appliance installation contractor must:

- (1) be licensed under this chapter as a residential appliance installer or employ a person licensed under this chapter as a residential appliance installer;
 - (2) establish proof of financial responsibility in the manner prescribed by the executive director; and
 - (3) maintain workers' compensation coverage for the contractor's employees through an insurance company authorized to engage in the business of insurance in this state or through self-insurance, or elect not to obtain workers' compensation coverage, as provided by Subchapter A, Chapter 406, Labor Code.
- (b) A person who holds a residential appliance installer's license issued or recognized under this chapter may only be assigned to a single residential appliance installation contractor, unless the residential appliance installer owns more than 50 percent of the residential appliance installation contracting business.

Sec. 1305.162. Examinations.

- (a) Examinations required by this subchapter shall be conducted throughout the state.
- (b) The department shall accept, develop, or contract for the examinations required by this chapter, including the administration of the examinations. Each examination must test the knowledge of the applicant about materials and methods used in electrical installations related to the activities that may be performed within each class of license under this chapter and the standards prescribed by the National Electrical Code as adopted by the executive director.
- (c) The executive director shall determine uniform standards for acceptable performance on an examination.

Sec. 1305.163. Examination Results.

- (a) Not later than the 30th day after the date on which an examination is administered under this chapter, the department shall notify each examinee of the results of the examination. If an examination is graded or reviewed by a national testing service, the department shall notify examinees of the result of the examination not later than the 14th day after the date on which the department receives the results from the testing service.
- (b) If the notice of the examination results will be delayed for more than 60 days after the examination date, the department shall notify each examinee of the reason for the delay before the 60th day.
- (c) If requested in writing by a person who fails an examination administered under this chapter, the department shall provide to the person an analysis of the person's performance on the examination.

Sec. 1305.164. Nonresident License Applicant.

The executive director may issue a license under this chapter to an applicant who holds a license in another state and who submits a proper application and pays the required fees if the executive director determines that the applicant is licensed in a state with which there is an agreement to recognize licenses issued under this chapter.

Sec. 1305.165. License Issuance; Nontransferability.

- (a) Not later than the 30th day after the date on which the department determines that an applicant has passed the examination required under this chapter, the executive director shall issue a license to the applicant if the applicant has complied with the application requirements and paid the fees required by this chapter.

- (b) A license issued by the executive director is valid throughout this state and is not transferable.

Sec. 1305.166. Display of License.

- (a) An electrical contractor, electrical sign contractor, and residential appliance installation contractor shall display the contractor's business name and the number of the license issued by the executive director on each vehicle owned by the contractor.
- (b) The information required to be displayed must be:
 - (1) printed in letters and numbers that are at least two inches high and in a color that contrasts with the color of the background surface; and
 - (2) permanently affixed in conspicuous places on both sides of the vehicle.

Sec. 1305.167. License Renewal.

- (a) Except as provided by Subsection (b), a license expires annually on December 31 and may be renewed annually on payment of the required renewal fee.
- (b) The executive director by rule may adopt a system under which licenses expire on various dates during the year. For the year in which the license expiration date is changed, renewal fees payable on or before December 31 shall be prorated on a monthly basis so that each license holder pays only that portion of the renewal fee that is applicable to the number of months during which the license is valid. On renewal of the license on the new expiration date, the total renewal fee is due.
- (c) Not later than the 30th day preceding the expiration date of a person's license, the department shall notify the person in writing, at the person's last known mailing address, of the impending license expiration. A person may renew an unexpired license by paying to the department, before the license expiration date, the required renewal fee.

Sec. 1305.168. Continuing Education.

- (a) To renew a master electrician, journeyman electrician, master sign electrician, journeyman sign electrician, maintenance electrician, or residential wireman license, the license holder must complete four hours of continuing education annually.
- (b) Continuing education courses that satisfy the requirements of this section must address the National Electrical Code, as adopted under Section 1305.101, and state laws and rules that regulate the conduct of license holders under this chapter.
- (c) The executive director by rule shall approve continuing education courses, online continuing education courses, course content, and course providers. The commission may adopt a fee for the administration of the department's duties regarding continuing education.

[Sections 1305.169-1305.200 reserved for expansion]

SUBCHAPTER E. REGULATION OF ELECTRICIANS BY LOCAL GOVERNMENTS

Sec. 1305.201. Municipal or Regional Regulation.

- (a) This chapter does not prohibit a municipality or region from regulating electricians or residential appliance installers by:
 - (1) enacting an ordinance requiring inspections;
 - (2) offering examinations;
 - (3) issuing municipal or regional licenses; or
 - (4) collecting permit fees for municipal or regional licenses and examinations from electricians and appliance installers for work performed in the municipality or region.
- (b) A municipality or region may not require a person to take a municipal or regional examination if that person holds the appropriate license issued under this chapter and is working within the scope of that license.
- (c) A municipality may adopt procedures for the:
 - (1) adoption of local amendments to the National Electrical Code; and
 - (2) administration and enforcement of that code.
- (d) Electrical work performed within the corporate limits of a municipality must be installed in accordance with all applicable local ordinances.
- (e) Electrical work performed in an unincorporated area of the state must be installed in accordance with standards at least as stringent as the requirements of the state electrical code as adopted under Section 1305.101.

Sec. 1305.202. Scope of Municipal or Regional License.

- (a) A license to perform electrical work issued by a municipality or region is valid only in the municipality or region or in another municipality or region under a reciprocal agreement.
- (b) A person who holds a license to perform electrical work or electrical sign work issued by a municipality or region that elects to discontinue issuing or renewing licenses may apply for an equivalent license under this chapter without complying with the applicable examination requirement if the person:
 - (1) held the municipal or regional license for the preceding year; and
 - (2) submits an application for a license under this chapter within 90 days of the date the municipality or region stops issuing or renewing licenses.

[Sections 1305.203-1305.250 reserved for expansion]

SUBCHAPTER F. LICENSE DENIAL AND DISCIPLINARY ACTIONS

Sec. 1305.251. Grounds for Denial or Disciplinary Action.

A person is subject to denial of a license application or disciplinary action under Section 51.353 if the person violates:

- (1) this chapter or a rule adopted under this chapter; or
- (2) a rule or order of the executive director or commission.

Sec. 1305.252. Requested Suspension by Local Government.

A municipality or region may request suspension for just cause of the license under this chapter of a license holder working in its jurisdiction.

Sec. 1305.253. Hearings; Administrative Procedure.

- (a) If the department proposes to deny a license or take disciplinary action against a license holder, the license holder is entitled to a hearing.
- (b) The proceedings relating to a license denial and disciplinary action by the department under this chapter are governed by Chapter 2001, Government Code. A hearing under this chapter may be conducted by a hearings officer designated by the commission.

Sec. 1305.254. New Application By Holder Of Revoked License.

A license holder whose license has been revoked may apply for a new license after the first anniversary of the date of the revocation.

[Sections 1305.255-1305.300 reserved for expansion]

SUBCHAPTER G. ENFORCEMENT

Sec. 1305.301. Administrative Penalty.

- (a) The executive director may impose an administrative penalty on a person under Subchapter F, Chapter 51, regardless of whether the person holds a license under this chapter, if the person violates:
 - (1) this chapter or a rule adopted under this chapter; or
 - (2) a rule or order of the executive director or commission.
- (b) An administrative penalty may not be imposed unless the person charged with a violation is provided the opportunity for a hearing.

Sec. 1305.302. Cease and Desist Order; Injunction; Civil Penalty.

- (a) The executive director may issue a cease and desist order as necessary to enforce this chapter if the executive director determines that the action is necessary to prevent a violation of this chapter and to protect public health and safety.

- (b) The attorney general or executive director may institute an action for an injunction or a civil penalty under this chapter as provided by Section 51.352.

Sec. 1305.303. Criminal Penalty.

- (a) A person subject to this chapter commits an offense if the person:
 - (1) violates the licensing requirements of this chapter;
 - (2) performs electrical work without a license to perform electrical work in this state;
 - (3) employs an individual who does not hold the appropriate license required by this chapter; or
 - (4) falsifies a certification of on-the-job training.
- (b) An offense under this section is a Class C misdemeanor.

NOTES:

- (a) *The Texas Department of Licensing and Regulation shall issue a residential appliance installer license without examination to a qualified applicant under this section who:*
 - (1) *applies for a license under this section not later than June 1, 2008;*
 - (2) *submits to the department information required by rules adopted under this section;*
 - (3) *meets the experience requirement in Subsection (b) of this section; and*
 - (4) *pays the application fee.*
- (b) *An applicant for a license under this section is required to have completed at least 4,000 hours of electrical work or residential appliance installation under the supervision of a master electrician.*