

CHAPTER 415

S.B. No. 383

AN ACT

relating to the repeal of certain provisions governing the sale and use of certain refrigerants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1302.059, Occupations Code, is amended to read as follows:

Sec. 1302.059. MOTOR VEHICLES. This chapter does not apply to a person who engages in or employs a person who engages in air conditioning services only on a motor vehicle or an MVAC-like appliance as defined by 40 C.F.R. Section 82.152 [~~air conditioner~~].

SECTION 2. Subsection (a), Section 1302.453, Occupations Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) knowingly engages in air conditioning and refrigeration contracting without holding a license issued under this chapter; or

(2) knowingly engages in air conditioning and refrigeration maintenance work without holding a contractor license or technician registration issued under this chapter [~~or~~

~~(3) purchases a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.353, 1302.355, or 1302.356].~~

SECTION 3. The following provisions of the Occupations Code are repealed:

- 1 (1) Subdivisions (13) and (16), Section 1302.002;
- 2 (2) Section 1302.051;
- 3 (3) Subsection (b), Section 1302.452;
- 4 (4) Subsection (b), Section 1302.453; and
- 5 (5) Subchapter H, Chapter 1302.

6 SECTION 4. Not later than May 1, 2014, the Texas Commission
7 of Licensing and Regulation shall adopt rules necessary to
8 implement the changes in law made by this Act to Chapter 1302,
9 Occupations Code.

10 SECTION 5. The repeal by this Act of Subchapter H, Chapter
11 1302, Occupations Code, and the amendment of Section 1302.453,
12 Occupations Code, do not apply to an offense committed under those
13 laws before the effective date of this Act. An offense committed
14 before the effective date of this Act is governed by those laws as
15 they existed on the date the offense was committed, and the former
16 law is continued in effect for that purpose. For purposes of this
17 section, an offense was committed before the effective date of this
18 Act if any element of the offense occurred before that date.

19 SECTION 6. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.

S.B. No. 383

David Dewhurst
President of the Senate

Joe Straus
Speaker of the House

I hereby certify that S.B. No. 383 passed the Senate on March 13, 2013, by the following vote: Yeas 31, Nays 0.

Letsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 383 passed the House on May 15, 2013, by the following vote: Yeas 140, Nays 0, two present not voting.

Robert Hamer
Chief Clerk of the House

Approved:

14 JUNE '13
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:11 O'CLOCK

JUN 14 2013

[Signature]
Secretary of State