

BILL ANALYSIS

Senate Research Center
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H.B. 2980
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Engrossed

DIGEST

A rural fire prevention district is created to protect life and property and to provide fire and safety related services to persons and property within its boundaries. H.B. 2980 sets forth additional provisions regarding rural fire prevention districts.

PURPOSE

As proposed, H.B. 2980 sets forth additional provisions regarding rural fire prevention districts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 794.012(b), Health and Safety Code, to require the name of each county to be inserted in the first blank, and the next available rural fire prevention district created under Chapter 794 (district) number to be inserted into the second blank.

SECTION 2. Amends Section 794.014, Health and Safety Code, by adding Subsection (g), to provide that this section does not apply if the proposed district contains territory in the unincorporated area of a county with a population of 2.4 million or more.

SECTION 3. Amends Section 794.031, Health and Safety Code, to authorize a district to borrow money. Makes a conforming change.

SECTION 4. Amends Sections 794.034(b) and (h), Health and Safety Code, to require the county judges of each county in a district to mutually establish a convenient day provided by Section 41.001, Election Code, to conduct an election to elect the initial fire commissioners. Authorizes the board of fire commissioners (board) to change the election date from one authorized election date to another authorized election date. Requires the board to adjust the terms of office to conform to the new election date. Deletes existing text regarding the date for election of initial fire commissioners.

SECTION 5. Amends Section 794.035, Health and Safety Code, by adding Subsections (e) and (f), to provide that Chapter 551, Government Code, does not apply to a meeting of certain committees. Require the board, each January, to publish the street address of the district's administrative office meeting certain requirements. Requires the board, in a district's first year of operation, to publish the notice not later than 60 days after the initial board is appointed.

SECTION 6. Amends Chapter 794C, Health and Safety Code, by adding Section 794.038, as follows:

Sec. 794.038. REMOVAL OF BOARD MEMBER. Authorizes the board to remove a member under certain circumstances. Sets forth provisions regarding repeal of a removal. Provides that the validity of a board action is not affected because it is taken when a ground for removal of a board member exists.

SECTION 7. Amends Section 794.071, Health and Safety Code, to prohibit the district from contracting for an amount of indebtedness in any one year that is in excess of the fund then on hand and, rather than or, that may be paid from current revenues for the year.

SECTION 8. Amends Section 794.074(i), Health and Safety Code, to provide that this section does not apply to a contract for fire extinguishment and suppression service, emergency rescue service, or ambulance service.

SECTION 9. Makes application of this Act prospective as to competitive bids made by a board.

SECTION 10. Effective date: September 1, 1999.

SECTION 11. Emergency clause.