

BILL ANALYSIS

Senate Research Center
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S.B. 736
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law provides authority for counties to apply a fire code to commercial and public buildings. As incorporated areas are developed to resemble cities, it has become evident that more attention should be paid to the fire safety standards of multifamily dwellings in unincorporated areas of the county.

As proposed, S.B. 736 includes multi-family residential dwellings to the list of buildings in unincorporated areas to which fire codes are applicable.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 233.062(a), Local Government Code, to provide that the fire code applies only to certain buildings constructed in an unincorporated area of the county, including a multi-family dwelling.

SECTION 2. Amends Subchapter C, Chapter 233, Local Government Code, by adding Section 233.0625, as follows:

Sec. 233.0625. CONFLICT WITH EMERGENCY SERVICES DISTRICT FIRE CODE. Provides that to the extent of a conflict between a fire code adopted under this subchapter and a fire code adopted under Chapter 775 (Emergency Services Districts), Health and Safety code, the fire code adopted under this subchapter controls.

SECTION 3. Amends Section 233.064, Local Government Code, by amending Subsection (e) and adding Subsection (g), as follows:

(e) Requires the county to begin the inspection of the building within 10 business days, rather than two business days, after the date of the receipt of the written inspection request.

(g) Provides that if the inspector determines, after an inspection of the completed building, that the building does not comply with the fire code the county is required to deny the certificate of compliance and the building is prohibited from being occupied.

SECTION 4. Effective date: September 1, 2005.