

BILL ANALYSIS

Senate Research Center

C.S.H.B. 3813
By: Howard (Watson)
Natural Resources
5/15/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 3813 allows certain municipalities to adopt an ordinance to require sufficient water pressure and water flow standards adequate for fire suppression. The City of West Lake Hills in Travis County is an area particularly susceptible to threat from fire because of the area's urban density, its forested nature, and the impact of recent drought. Furthermore, recent fires in Travis County and surrounding counties have alerted residents to the increasing threat wildfires pose to Central Texans and their property.

In 2011, the City of West Lake Hills conducted a study to determine the water pressures and water flow rates for every fire hydrants located within the city. Several fire hydrants did not meet the required minimum specified by the International Fire Code. The International Fire Code requires a minimum of 1,000 Gallons Per Minute (GPM) at 20 pounds per square inch for emergencies and upward to 1,500 GPM for emergencies at larger structures.

Under current law, municipalities cannot require or enforce water flow and pressure standards of a water system that is not owned by the municipality. C.S.H.B. 3813 grants the City of West Lake Hills the authority to require certain flow and pressure standards within their municipal limits.

C.S.H.B. 3813 amends current law relating to municipal fire suppression standards in certain municipalities.

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 Chapter 342, Local Government Code, by adding Subchapter Z, as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 342.901. FIRE SUPPRESSION STANDARDS IN CERTAIN MUNICIPALITIES.

(a) Provides that this section applies to a general law municipality that:

- (1) has a population of less than 4,000;
- (2) is located in a county that has a population of more than one million and is adjacent to a county with a population of more than 420,000; and
- (3) is served by a district governed by Chapter 51 (Water Control and Improvement Districts), Water Code.

(b) Authorizes the governing body of a municipality, notwithstanding any other law, to by ordinance establish water flow and water pressure standards sufficient to provide adequate pressure to fire suppression systems and require a district

described by Subsection (a)(3) that provides water service in the municipality to take reasonable measures to comply with those standards.

(c) Requires the municipality, before a municipality adopts an ordinance under this section, to, in consultation with the district described by Subsection (a)(3) that is subject to the proposed ordinance, estimate the costs associated with the proposed ordinance.

(d) Authorizes a district described by Subsection (a)(3) to recover the costs associated with complying with an ordinance adopted under this section through a surcharge assessed only to customers served in the municipality to the extent that complying with the ordinance results in additional costs for the district and the ordinance establishes water flow and water pressure standards inside municipal boundaries that are different than water flow and water pressure standards required outside municipal boundaries.

(e) Provides that to the extent of a conflict between this section and any other law, this section controls.

SECTION 2. Effective date: upon passage or September 1, 2013.