

BILL ANALYSIS

Senate Research Center

H.B. 684
By: Sheets (Hinojosa)
Intergovernmental Relations
5/20/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The authority of a commissioners court of a county to adopt a fire code and rules necessary to administer and enforce the code is currently limited to a county with a population of over 250,000 or a county adjacent to such a county. Interested parties note growing interest in such authority being granted to the commissioners court of any county in order to ensure that schools, daycare facilities, hospitals, and businesses in unincorporated areas meet fire safety standards and are accessible to first responders in emergency situations. H.B. 684 seeks to provide this authority.

H.B. 684 amends current law relating to the authority of a county to adopt a fire code.

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 233.061(a), Local Government Code, to authorize the commissioners court of a county with a population of over 25,000, rather than over 250,000, or a county adjacent to a county with a population of over 250,000 to adopt a fire code and rules necessary to administer and enforce the fire code.

SECTION 2. Amends Section 233.062, Local Government Code, by adding Subsections (b-1) and (b-2), as follows:

(b-1) Prohibits the commissioners court of a county with a population of 250,000 or less that is not adjacent to a county with a population of more than 250,000 from adopting a fire code that applies to:

- (1) a building or other structure used by a person who holds a retail fireworks permit issued under Section 2154.202 (Retail Fireworks Permit), Occupations Code, for the exclusive purpose of selling fireworks;
- (2) a building or other structure used for an agricultural operation, as defined by Section 251.002 (Definitions), Agriculture Code;
- (3) the facilities or operations of energy transporters; or
- (4) any activities related to the drilling, exploration including completion, production, or processing of oil or natural gas.

(b-2) Prohibits the commissioners court of a county with a population over 250,000 or a county adjacent to a county with a population over 250,000 from adopting a fire code that applies to a building or structure used for an agricultural operation, as defined by Section 251.002, Agriculture Code, unless the commissioners court has adopted a fire code under this subchapter before January 1, 2016.

SECTION 3. Effective date: upon passage or September 1, 2015.