

By: Harless

H.B. No. 3687

A BILL TO BE ENTITLED

AN ACT

relating to certification requirements for a fire marshal and any related employee, officer, inspector, and investigator appointed by certain counties and emergency services districts.

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

SECTION 1. Subchapter F, Chapter 775, Health and Safety Code, is amended by adding Section 775.1025 to read as follows:

Sec. 775.1025. CERTIFICATION REQUIREMENTS FOR DISTRICTS LOCATED IN CERTAIN COUNTIES. (a) This section applies only to a district wholly located in a county with a population of 100,000 or more.

(b) The fire marshal shall hold the following certifications issued by the Texas Commission on Fire Protection:

(1) head of a prevention-only fire department certification not later than 12 months after the date the marshal is initially appointed;

(2) a fire marshal basic certification not later than 24 months after the date the marshal is initially appointed; and

(3) a fire protection personnel certification not later than 12 months after the date the marshal is initially appointed.

(c) If acting as a peace officer, the fire marshal and any related officer, inspector, and investigator must hold a permanent peace officer license issued under Chapter 1701, Occupations Code.

1 (d) If acting under fire marshal authority to conduct or
2 supervise arson investigations or fire inspections, the fire
3 marshal or the marshal's employees must hold certifications
4 required for fire inspection by the Texas Commission on Fire
5 Protection under Chapter 419, Government Code.

6 SECTION 2. Subchapter B, Chapter 352, Local Government
7 Code, is amended by adding Section 352.0125 to read as follows:

8 Sec. 352.0125. CERTIFICATION REQUIREMENTS IN CERTAIN
9 COUNTIES. (a) This section applies only to a county with a
10 population of 100,000 or more.

11 (b) A county fire marshal shall hold the following
12 certifications issued by the Texas Commission on Fire Protection:

13 (1) head of a prevention-only fire department
14 certification not later than 12 months after the date the marshal is
15 initially appointed;

16 (2) a fire marshal basic certification not later than
17 24 months after the date the marshal is initially appointed; and

18 (3) a fire protection personnel certification not
19 later than 12 months after the date the marshal is initially
20 appointed.

21 (c) If acting as a peace officer, a county fire marshal and
22 any related officer, inspector, and investigator must hold a
23 permanent peace officer license issued under Chapter 1701,
24 Occupations Code.

25 (d) If acting under fire marshal authority to conduct or
26 supervise arson investigations or fire inspections, a county fire
27 marshal or the marshal's employees must hold certifications

1 required for fire inspection by the Texas Commission on Fire
2 Protection under Chapter 419, Government Code.

3 SECTION 3. Notwithstanding Sections 775.1025, Health and
4 Safety Code, and 352.0125, Local Government Code, as added by this
5 Act, a fire marshal for a county with a population of 100,000 or
6 more or for an emergency services district wholly located in a
7 county with a population of 100,000 or more initially appointed
8 before the effective date of this Act must receive the following
9 certifications:

10 (1) head of a suppression fire department
11 certification issued by the Texas Commission on Fire Protection not
12 later than 12 months after the effective date of this Act;

13 (2) head of a prevention-only fire department
14 certification issued by the Texas Commission on Fire Protection not
15 later than 12 months after the effective date of this Act;

16 (3) a fire marshal basic certification issued by the
17 Texas Commission on Fire Protection not later than 24 months after
18 the effective date of this Act;

19 (4) a fire protection personnel certification issued
20 by the Texas Commission on Fire Protection not later than 12 months
21 after the effective date of this Act; and

22 (5) if acting as a peace officer, a permanent peace
23 officer license issued under Chapter 1701, Occupations Code.

24 SECTION 4. This Act takes effect September 1, 2025.