

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.