

By: Riddle

H.B. No. 1700

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the regulation of emergency services providers in
3 municipalities or certain counties.

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

5 SECTION 1. Section 773.051, Health and Safety Code, is
6 amended to read as follows:

7 Sec. 773.051. [~~MUNICIPAL~~] REGULATION IN MUNICIPALITIES OR
8 CERTAIN COUNTIES. (a) A municipality by ordinance may establish
9 standards for an emergency medical services provider that are
10 stricter than the minimum standards of this chapter and department
11 rules adopted under this chapter.

12 (b) A county with a population of more than 3.2 million may
13 establish, by regulation, standards for an emergency medical
14 services provider that are stricter than the minimum standards of
15 this chapter and department rules adopted under this chapter. If
16 both a county and a municipality located in the county establish
17 standards for an emergency medical services provider, the stricter
18 standards apply.

19 (c) The municipality or county may require an emergency
20 medical services provider to obtain a permit on a periodic basis to
21 operate within the municipality's or county's jurisdiction. If
22 both the municipality and county require an emergency medical
23 services provider to obtain a permit, the emergency medical
24 services provider shall apply for a permit from the entity with the

1 stricter standards. An application for a permit must be made in
2 accordance with the regulations adopted by the health authority,
3 local health department, or public health district for the
4 municipality or county with jurisdiction. The municipality or
5 county shall deposit funds collected from permit applications into
6 an emergency medical services fund. The municipality or county
7 shall use money from the fund to administer this section.

8 (d) The health authority, local health department, or
9 public health district for the municipality or county that issues
10 an emergency medical services provider a permit may inspect an
11 emergency medical services vehicle or the premises of an emergency
12 medical services provider's place of business to ensure that the
13 provider is in compliance with regulations adopted by the health
14 authority, local health department, or public health district for
15 the municipality or county.

16 (e) The health authority, local health department, or
17 public health district for the municipality or county may deny,
18 suspend, or revoke a permit issued under this section.

19 (f) A district court may hear a suit arising from the
20 denial, suspension, or revocation of a permit under Subsection (e).

21 (g) The municipality or county may seek an injunction from
22 the district court to prohibit a violation of a regulation adopted
23 under this section.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.