

BILL ANALYSIS

H.B. 738
By: Bonnen
Committee on Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the Texas Commission on Fire Protection ("the commission") adopts training and certification requirements for aircraft fire fighting and rescue fire protection personnel, including those employed by an airport classified as a Class IV airport under Title 14, Part 139, of the Code of Federal Regulations. Given that these individuals already must meet the training requirements prescribed under 14 C.F.R. Part 139, the requirements of the commission are redundant and include extensive structure fire training, which is not applicable to the responsibilities of aircraft fire fighters who, under the scope of their employment, do not respond to structure fires.

The purpose of this bill is to consider training requirements imposed under Section 419.038 of the Government Code to be satisfied if an individual is employed by a Class IV airport operating and certified under the requirements of 14 C.F.R. Part 139.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a State officer, department, agency, or institution.

SECTION-BY-SECTION ANALYSIS

SECTION 1 would amend Section 419.038 of the Government Code to provide that a person is considered to have met the training requirements of the Texas Commission on Fire Protection and may be appointed to an aircraft fire fighting and rescue fire protection personnel position if the person is employed at an airport that is classified as a Class IV airport under 14 C.F.R. Part 139 and that holds an Airport Operating Certificate issued under 14 C.F.R. Part 139.

SECTION 2 would apply to aircraft fire fighting and rescue fire protection personnel appointed under Section 419.038 of the Government Code without regard to whether they were appointed on, before, or after the effective date of this act.

SECTION 3 would set forth the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, the Act takes effect September 1, 2007.