

BILL ANALYSIS

C.S.H.B. 2624
By: King, Phil
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law the only local entity that has the ability to charge a reasonable fee for emergency services performed by a volunteer fire department are emergency service districts that have contracts with those volunteer fire departments. Volunteer fire departments that do not have contracts with emergency service districts do not have the ability to charge a reasonable fee for emergency services that they perform.

C.S.H.B. 2624 would give municipalities and counties that have contracts with volunteer fire departments the ability to charge a reasonable fee for the emergency services that the volunteer fire department performed. The bill would also give volunteer fire departments that do not have contracts with an emergency service district, a county, or a municipality the ability to charge a reasonable fee from the person that they performed the emergency services for.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 2624 gives a municipality that has a contract with a volunteer fire department the ability to charge a reasonable fee for emergency services that the fire department performs in relation to a hazardous material accident or a motor vehicle accident. It also requires that the municipality bill the applicable insurance company of the person for whom the department performed the service. It also requires that the fee be paid within a reasonable amount of time determined by the municipality.

The bill also states a county that contracts with a volunteer fire department may charge a reasonable fee for emergency services that are performed by the fire department in relation to a hazardous material accident or a motor vehicle accident. Requires that the county bill the applicable insurance company of the person for whom the department performed the service. Requires that the fee be paid within a reasonable amount of time determined by the county.

The bill gives a volunteer fire department that does not have a contract with a municipality, county, emergency service district, or other political subdivision, the ability to charge a reasonable fee for emergency services performed in relation to a hazardous material accident or a motor vehicle accident. Requires that the volunteer fire department bill the applicable insurance company of the person for whom the department performed the service.

The bill defines a volunteer fire department as a fire department operated by its members, including a partially paid fire department, that: is operated on a not-for-profit basis, participates in a firefighter certification program administered: under Section 419.071, Government Code; by the State Firemen's and Fire Marshals' Association of Texas; or by the National Wildfire Coordinating Group.

Finally, the bill specifies the changes in law made by the bill apply beginning with emergency services performed by a volunteer fire department on or after the effective date of this Act.

EFFECTIVE DATE

C.S.H.B. 2624 80(R)

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds language which allows municipalities and counties that have contracts with volunteer fire departments, and volunteer fire departments that do not have contracts with any political subdivision, to charge a reasonable fee for emergency services performed only in relation to a hazardous material accident or a motor vehicle accident. The original did not specify which type of emergency services these entities could charge a reasonable fee for.

The substitute adds language which requires municipalities and counties that have contracts with volunteer fire departments, and volunteer fire departments that do not have contracts with any political subdivision, to bill the applicable insurance company of the person for whom the department performs the service. The original did not specify to whom the bill had to be sent.

The substitute adds language which gives a definition of a volunteer fire department.