

By: Smithee

H.B. No. 1176

A BILL TO BE ENTITLED

1 AN ACT

2 relating to providing that a municipality may allow a municipal  
3 fire marshal or arson investigator to travel in an unmarked  
4 municipal vehicle when performing official duties.

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

6 SECTION 1. Section 721.005(a), Transportation Code, as  
7 amended by Chapters 66 and 140, Acts of the 77th Legislature,  
8 Regular Session, 2001, is amended to read as follows:

9 (a) The governing body of a municipality may exempt from the  
10 requirements of Section 721.004:

11 (1) an automobile when used to perform an official  
12 duty by a:

13 (A) police department;

14 (B) magistrate as defined by Article 2.09, Code  
15 of Criminal Procedure; ~~or~~

16 (C) medical examiner; ~~or~~

17 (D) [(4)] municipal code enforcement officer  
18 designated to enforce environmental criminal laws; or

19 (E) municipal fire marshal or arson  
20 investigator; or

21 (2) an automobile used by a municipal employee only  
22 when conducting an investigation involving suspected fraud or other  
23 mismanagement within the municipality.

24 SECTION 2. This Act takes effect immediately if it receives

H.B. No. 1176

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