

By: West

H.B. No. 1906

Substitute the following for H.B. No. 1906:

By: Driver

C.S.H.B. No. 1906

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the authority of a municipality to regulate certain  
3 burglar alarm systems.

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

5 SECTION 1. Section 214.194(b), Local Government Code, is  
6 amended to read as follows:

7 (b) A municipal permit fee imposed under this section may  
8 not exceed the rate of:

9 (1) \$50 a year for a residential location; or

10 (2) \$100 a year for a commercial location.

11 SECTION 2. Section 214.195(a), Local Government Code, is  
12 amended to read as follows:

13 (a) Except as provided in Subsection (d), a municipality may  
14 not terminate its law enforcement response to a residential or  
15 commercial permit holder because of excess false alarms if the  
16 false alarm fees are paid in full.

17 SECTION 3. Section 214.198, Local Government Code, is  
18 amended to read as follows:

19 Sec. 214.198. VERIFICATION. An [~~A municipality may~~  
20 ~~require an~~] alarm systems monitor shall [~~to~~] attempt to contact the  
21 occupant of the alarm system location twice before the municipality  
22 responds to the alarm signal.

23 SECTION 4. Subchapter F, Chapter 214, Local Government  
24 Code, is amended by adding Section 214.1985 to read as follows:

1       Sec. 214.1985. NOTIFICATION. A municipality may adopt an  
2 ordinance or policy requiring that the municipality be notified  
3 immediately on the activation of an alarm.

4       SECTION 5. Section 214.199(a), Local Government Code, is  
5 amended to read as follows:

6       (a) The governing body of a municipality may not adopt an  
7 ordinance or policy providing that law enforcement personnel of the  
8 municipality will not respond to any alarm signal indicated by an  
9 alarm system in the municipality unless, before adopting the  
10 ordinance or policy, the governing body of the municipality:

11           (1) makes reasonable efforts to notify permit holders  
12 of its intention to adopt the ordinance or policy; and

13           (2) conducts a public hearing at which persons  
14 interested in the response of the municipality to alarm systems are  
15 given the opportunity to be heard.

16       SECTION 6. The change in law made to the fee a municipality  
17 may charge under Section 214.194, Local Government Code, as amended  
18 by this Act, applies only to a permit that expires on or after the  
19 effective date of this Act.

20       SECTION 7. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2007.