

By: West

H.B. No. 1906

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

1 (a) The governing body of a municipality may not adopt an
2 ordinance or policy providing that law enforcement personnel of the
3 municipality will not respond to any alarm signal indicated by an
4 alarm system in the municipality unless, before adopting the
5 ordinance or policy, the governing body of the municipality:

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

8 (2) conducts a public hearing at which persons
9 interested in the response of the municipality to alarm systems are
10 given the opportunity to be heard; and

11 (3) holds an election to submit the adoption of the
12 ordinance or policy to the voters of the municipality under Section
13 214.1995.

14 SECTION 5. Subchapter F, Chapter 214, Local Government
15 Code, is amended by adding Section 214.1995 to read as follows:

16 Sec. 214.1995. ELECTION. The governing body of a
17 municipality by ordinance or policy may provide that law
18 enforcement personnel of the municipality will not respond to any
19 alarm signal indicated by an alarm system in the municipality only
20 if the adoption of the ordinance or policy is approved by a majority
21 of the votes cast by the voters of the municipality voting at an
22 election held in the municipality.

23 SECTION 6. (a) The change in law made to the fee a
24 municipality may charge under Section 214.194, Local Government
25 Code, as amended by this Act, applies only to a permit that expires
26 on or after the effective date of this Act.

27 (b) The change in law to Section 214.199, Local Government

1 Code, as amended by this Act, applies only to an ordinance or policy
2 adopted on or after the effective date of this Act.

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