

By: King of Parker

H.B. No. 793

A BILL TO BE ENTITLED

AN ACT

relating to the authority to charge reasonable fees for emergency services performed by volunteer fire departments.

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

SECTION 1. Chapter 342, Local Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. CONTRACTS WITH VOLUNTEER FIRE DEPARTMENTS

Sec. 342.031. FEES FOR VOLUNTEER FIRE DEPARTMENT SERVICES.

A municipality that contracts with a volunteer fire department for the performance of emergency services may charge a reasonable fee for the emergency services performed by the department. The fee must be paid within a reasonable amount of time established by the municipality.

SECTION 2. Section 352.001(c), Local Government Code, is amended to read as follows:

(c) The commissioners court of a county may contract with an incorporated volunteer fire department that is located within the county to provide fire protection to an area of the county that is located outside the municipalities in the county. The court may pay for that protection from the general fund of the county. The county may charge a reasonable fee for emergency services performed by the volunteer fire department under contract with the county. The fee must be paid within a reasonable amount of time established by the county. The county may assign the billing and collection of the fee

1 to the volunteer fire department.

2 SECTION 3. Chapter 614, Government Code, is amended by
3 adding Subchapter L to read as follows:

4 SUBCHAPTER L. AUTHORITY OF CERTAIN VOLUNTEER FIRE DEPARTMENTS TO
5 CHARGE FEES FOR SERVICES

6 Sec. 614.211. FEES FOR VOLUNTEER FIRE DEPARTMENT SERVICES.

7 (a) In this section, "volunteer fire department" has the meaning
8 assigned by Section 614.071.

9 (b) A volunteer fire department that is not operating under
10 a contract with an emergency services district under Chapter 775,
11 Health and Safety Code, a county, a municipality, or another
12 political subdivision to provide emergency services may directly
13 charge a reasonable fee to the persons for whom the department
14 performs emergency services.

15 SECTION 4. The changes in law made by this Act apply
16 beginning with emergency services performed by a volunteer fire
17 department on or after the effective date of this Act.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.