

By: Otto

H.B. No. 1511

A BILL TO BE ENTITLED

AN ACT

relating to requirements that fire sprinkler systems be installed in certain dwellings.

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

SECTION 1. Chapter 766, Health and Safety Code, is amended by adding Section 766.004 to read as follows:

Sec. 766.004. AUTOMATIC FIRE SPRINKLER SYSTEMS. (a) In this section:

(1) "Builder" has the meaning assigned by Section 401.003, Property Code.

(2) "Homeowner" has the meaning assigned by Section 401.002, Property Code.

(b) This section does not apply to a state requirement or an ordinance or order of a political subdivision adopted before January 1, 2009.

(c) Except as provided by Subsection (b), a requirement of this state or of an ordinance or order of a political subdivision that an automatic fire sprinkler system be installed in a new one-family or two-family dwelling may not be enforced with respect to a dwelling under 7,500 square feet in size. A prospective owner of a one-family or two-family dwelling under 7,500 square feet in size in a jurisdiction in which an automatic fire sprinkler system would otherwise be required to be installed in the home may choose whether or not to have the system installed.

1 (d) A builder in a jurisdiction in which an automatic fire
2 sprinkler system is required to be installed in any new one-family
3 or two-family dwelling shall offer a person with whom the builder
4 contracts for the construction of a new one-family or two-family
5 dwelling under 7,500 square feet in size the option of installing an
6 approved automatic fire sprinkler system in accordance with the
7 International Residential Code applicable to the construction
8 under Section 430.001, Property Code.

9 (e) In the event of a conflict between this section and any
10 other law, this section controls.

11 SECTION 2. Section 766.004(d), Health and Safety Code, as
12 added by this Act, applies only to a contract entered into on or
13 after September 1, 2011. A contract entered into before that date
14 is governed by the law in effect immediately before the effective
15 date of this Act, and that law is continued in effect for that
16 purpose.

17 SECTION 3. This Act takes effect September 1, 2009.