

By: Rose

H.B. No. 1587

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a voluntary identification system for certain devices
3 with the appearance of a fire hydrant that are nonfunctioning or
4 otherwise unavailable for use in a fire emergency.

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

6 SECTION 1. The heading to Section 341.0357, Health and
7 Safety Code, as added by Chapter 684 (H.B. 1717), Acts of the 80th
8 Legislature, Regular Session, 2007, is amended to read as follows:

9 Sec. 341.0357. VOLUNTARY IDENTIFICATION SYSTEM FOR
10 ~~[REQUIREMENT FOR]~~ DEVICE WITH APPEARANCE OF FIRE HYDRANT THAT IS
11 NONFUNCTIONING OR UNAVAILABLE FOR USE IN FIRE EMERGENCY.

12 SECTION 2. Section 341.0357(a), Health and Safety Code, as
13 added by Chapter 684 (H.B. 1717), Acts of the 80th Legislature,
14 Regular Session, 2007, is amended to read as follows:

15 (a) The owner of any device having the appearance of a fire
16 hydrant that is located in a place that an entity responsible for
17 providing fire suppression services in a fire emergency would
18 expect a fire hydrant to typically be located may:

19 (1) ~~[shall]~~ paint the device black if the device is
20 nonfunctioning or otherwise unavailable for use by the entity
21 providing fire suppression services in a fire emergency; or

22 (2) ~~[. The owner may]~~ place a black tarp over the
23 device instead of painting the device black ~~[as required under this~~
24 ~~section]~~ if the device is temporarily nonfunctioning, or

1 temporarily unavailable for use in a fire emergency[, ~~for a period~~
2 ~~not to exceed seven days~~].

3 SECTION 3. 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, 2009.