

By: Dutton, Flynn

H.B. No. 2348

A BILL TO BE ENTITLED

AN ACT

relating to a contract between a water district and a municipality for the provision of fire-fighting services in certain counties.

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

SECTION 1. Subchapter L, Chapter 49, Water Code, is amended by adding Section 49.353 to read as follows:

Sec. 49.353. MUNICIPAL CONTRACT FOR FIRE-FIGHTING SERVICES IN CERTAIN COUNTIES. (a) In this section, "fire-fighting services" has the meaning assigned by Section 49.351.

(b) This section applies only to a district:

(1) located wholly or partly in a county with a population of more than 3.3 million; and

(2) in whose territory an emergency services district that provides fire-fighting services to all or part of the district is wholly or partly located.

(c) Notwithstanding Section 43.0751(f)(2)(B)(iii), Local Government Code, as part of a strategic partnership agreement entered into on or before December 31, 2006, under Section 43.0751, Local Government Code, a district may contract with a municipality whose fire department, on the date the agreement is entered into, has an Insurance Services Office (ISO) Class 1 Public Protection Classification Rating or comparable rating recognized by the state fire marshal for the provision of fire-fighting services to all or part of the district's territory, without the authorization of the

1 emergency services district that provides fire-fighting services  
2 to the district immediately before the date on which the agreement  
3 takes effect.

4 (d) If a district enters into a strategic partnership  
5 agreement with a municipality that includes the provision of  
6 fire-fighting services under this section, the territory of the  
7 district annexed by the municipality for limited purposes and to be  
8 served by the municipality under the agreement shall be disannexed  
9 from the emergency services district in the manner provided by  
10 Section 775.022, Health and Safety Code, for territory that is  
11 annexed by a municipality for full purposes.

12 (e) This section does not apply to a strategic partnership  
13 agreement that is:

- 14 (1) entered into after December 31, 2006; or  
15 (2) amended after December 31, 2006, to include the  
16 provision of fire-fighting services.

17 SECTION 2. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2009.