

By: Dutton

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) 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.

(b) Notwithstanding Section 43.0751(f)(2)(B)(iii), Local Government Code, as part of a strategic partnership agreement 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 emergency services district that provides fire-fighting services to the district immediately before the date on which the agreement takes effect.

1 (c) If a district enters into a strategic partnership
2 agreement with a municipality that includes the provision of
3 fire-fighting services under this section, the territory of the
4 district to be served by the municipality under the agreement is
5 disannexed from the emergency services district in the manner
6 provided by Section 775.022, Health and Safety Code.

7 SECTION 2. The change in law made by this Act applies only
8 to a strategic partnership agreement for the provision of
9 fire-fighting services between a water district and a municipality
10 that is entered into on or after the effective date of this Act. A
11 strategic partnership agreement entered into before the effective
12 date of this Act is governed by the law in effect when the agreement
13 was entered into, and the former law continues in effect for that
14 purpose.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2009.