

1-1 By: Dutton, Flynn (Senate Sponsor - Whitmire) H.B. No. 2348
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a contract between a water district and a municipality
1-9 for the provision of fire-fighting services in certain counties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter L, Chapter 49, Water Code, is amended
1-12 by adding Section 49.353 to read as follows:

1-13 Sec. 49.353. MUNICIPAL CONTRACT FOR FIRE-FIGHTING SERVICES
1-14 IN CERTAIN COUNTIES. (a) In this section, "fire-fighting
1-15 services" has the meaning assigned by Section 49.351.

1-16 (b) This section applies only to a district:

1-17 (1) located wholly or partly in a county with a
1-18 population of more than 3.3 million; and

1-19 (2) in whose territory an emergency services district
1-20 that provides fire-fighting services to all or part of the district
1-21 is wholly or partly located.

1-22 (c) Notwithstanding Section 43.0751(f)(2)(B)(iii), Local
1-23 Government Code, as part of a strategic partnership agreement
1-24 entered into on or before December 31, 2006, under Section 43.0751,
1-25 Local Government Code, a district may contract with a municipality
1-26 whose fire department, on the date the agreement is entered into,
1-27 has an Insurance Services Office (ISO) Class 1 Public Protection
1-28 Classification Rating or comparable rating recognized by the state
1-29 fire marshal for the provision of fire-fighting services to all or
1-30 part of the district's territory, without the authorization of the
1-31 emergency services district that provides fire-fighting services
1-32 to the district immediately before the date on which the agreement
1-33 takes effect.

1-34 (d) If a district enters into a strategic partnership
1-35 agreement with a municipality that includes the provision of
1-36 fire-fighting services under this section, the territory of the
1-37 district annexed by the municipality for limited purposes and to be
1-38 served by the municipality under the agreement shall be disannexed
1-39 from the emergency services district in the manner provided by
1-40 Section 775.022, Health and Safety Code, for territory that is
1-41 annexed by a municipality for full purposes.

1-42 (e) This section does not apply to a strategic partnership
1-43 agreement that is:

1-44 (1) entered into after December 31, 2006; or

1-45 (2) amended after December 31, 2006, to include the
1-46 provision of fire-fighting services.

1-47 SECTION 2. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect September 1, 2009.

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