

AN ACT

relating to fire safety inspections.

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

SECTION 1. Subchapter Z, Chapter 419, Government Code, is amended by adding Section 419.908 to read as follows:

Sec. 419.908. FIRE SAFETY INSPECTIONS. (a) Only an individual certified by the commission as a fire inspector may conduct a fire safety inspection required by a state or local law, rule, regulation, or ordinance.

(b) A fire safety inspection required by a state or local law, rule, regulation, or ordinance must be conducted in accordance with:

(1) the most recent local fire code; or

(2) the most recent fire code adopted by the state fire marshal.

(c) This section does not apply to state agency personnel who conduct a life safety code survey of a building or facility in connection with determining whether to issue or renew a license under Chapter 142, 241, 242, 243, 244, 245, 247, 248, 251, 252, 464, 466, or 577, Health and Safety Code, or Chapter 103, Human Resources Code.

SECTION 2. (a) Section 419.908(a), Government Code, as added by this Act, applies only to a fire safety inspection that occurs on or after September 1, 2011. A fire safety inspection that

1 occurs before September 1, 2011, is covered by the law in effect
2 immediately before that date, and the former law is continued in
3 effect for that purpose.

4 (b) Section 419.908(b), Government Code, as added by this
5 Act, applies only to a fire safety inspection that occurs on or
6 after the effective date of this Act. A fire safety inspection that
7 occurs before the effective date of this Act is covered by the law
8 in effect immediately before that date, and the former law is
9 continued in effect for that purpose.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 3866 was passed by the House on April 28, 2009, by the following vote: Yeas 147, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3866 on May 29, 2009, by the following vote: Yeas 144, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3866 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor