

1-1 By: Naishtat, Homer (Senate Sponsor - Watson) H.B. No. 3866
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Business
1-4 and Commerce; May 22, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3866 By: Watson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to fire safety inspections.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter Z, Chapter 419, Government
1-13 Code, is amended by adding Section 419.908 to read as follows:

1-14 Sec. 419.908. FIRE SAFETY INSPECTIONS. (a) Only an
1-15 individual certified by the commission as a fire inspector may
1-16 conduct a fire safety inspection required by a state or local law,
1-17 rule, regulation, or ordinance.

1-18 (b) A fire safety inspection required by a state or local
1-19 law, rule, regulation, or ordinance must be conducted in accordance
1-20 with:

1-21 (1) the most recent local fire code; or

1-22 (2) the most recent fire code adopted by the state fire
1-23 marshal.

1-24 (c) This section does not apply to state agency personnel
1-25 who conduct a life safety code survey of a building or facility in
1-26 connection with determining whether to issue or renew a license
1-27 under Chapter 142, 241, 242, 243, 244, 245, 247, 248, 251, 252, 464,
1-28 466 or 577, Health and Safety Code, or Chapter 103, Human Resources
1-29 Code.

1-30 SECTION 2. (a) Section 419.908(a), Government Code, as
1-31 added by this Act, applies only to a fire safety inspection that
1-32 occurs on or after September 1, 2011. A fire safety inspection that
1-33 occurs before September 1, 2011, is covered by the law in effect
1-34 immediately before that date, and the former law is continued in
1-35 effect for that purpose.

1-36 (b) Section 419.908(b), Government Code, as added by this
1-37 Act, applies only to a fire safety inspection that occurs on or
1-38 after the effective date of this Act. A fire safety inspection that
1-39 occurs before the effective date of this Act is covered by the law
1-40 in effect immediately before that date, and the former law is
1-41 continued in effect for that purpose.

1-42 SECTION 3. This Act takes effect September 1, 2009.

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