

## **BILL ANALYSIS**

H.B. 956  
By: Marquez  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law gives the state fire marshal the authority to investigate the line-of-duty death of a firefighter in connection with a fire-fighting incident. The goal of such an investigation is to identify factors contributing to the firefighter's death and to use that information to prevent future deaths. However, a firefighter's death may occur in connection with other on-duty incidents. These incidents may involve fire-based emergency medical services, motor vehicle collisions that occur on the way to a fire, training activities, or hazardous materials responses. Texas statutes are unclear on the state fire marshal's authority to investigate such deaths, and, as a result, the opportunity to prevent future deaths is lost. H.B. 956 requires the state fire marshal to investigate a firefighter death that occurs in connection with an on-duty incident in Texas.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 956 amends the Government Code to require the state fire marshal to investigate the circumstances surrounding the death of a firefighter if the firefighter dies in the line of duty or if the firefighter's death occurs in connection with an on-duty incident in Texas, rather than if a firefighter dies in the line of duty in connection with a fire-fighting incident in Texas. The bill removes the specification that the circumstances required to be investigated include the cause and origin of the fire, the condition of the structure, and the suppression operation and instead specifies that such circumstances include any factors that may have contributed to the death of the firefighter.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.