

BILL ANALYSIS

H.B. 1092
By: Christian
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, state governmental entities and political subdivisions are prohibited from constructing certain public works engineering without the involvement of an engineer. According to concerned parties, in less populated areas of the state where essential safety services are performed by volunteer fire departments, the requirement for an engineer subjects the construction of fire department facilities to costs that are unnecessary because those facilities are not routinely used by the public.

H.B. 1092 seeks to provide volunteer fire departments in counties with populations of 80,000 or less relief from this financial burden by creating an exception from certain building requirements for such volunteer fire departments.

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. 1092 amends the Occupations Code to make the prohibition on the state or a political subdivision of the state from constructing a public work involving engineering in which the public health, welfare, or safety is involved unless certain engineering conditions are met inapplicable to a building or other facility that is occupied exclusively by a volunteer fire department, as defined in the Tax Code, in a county with a population of 80,000 or less; is not routinely used by the public; is approved by an engineer, including an approval evidenced by an engineer stamp on a plan or document for a prefabricated building; and has a slab that is approved by an engineer for the specific building approved, including an approval evidenced by an engineer stamp on a plan or document of the slab's intended purpose. The bill makes a conforming change.

EFFECTIVE DATE

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