

By: Christian

H.B. No. 1092

A BILL TO BE ENTITLED

AN ACT

relating to the exemption from certain construction requirements for volunteer fire departments in certain counties.

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

SECTION 1. Section 1001.407, Occupations Code, is amended to read as follows:

Sec. 1001.407. CONSTRUCTION OF CERTAIN PUBLIC WORKS. (a) Except as provided by Subsection (b), this [~~The~~] state or a political subdivision of this [~~the~~] state may not construct a public work involving engineering in which the public health, welfare, or safety is involved, unless:

(1) the engineering plans, specifications, and estimates have been prepared by an engineer; and

(2) the engineering construction is to be performed under the direct supervision of an engineer.

(b) This section does not apply to a building or other facility that:

(1) is occupied exclusively by a volunteer fire department, as defined by Section 152.001, Tax Code, in a county with a population of 80,000 or less;

(2) is not routinely used by the public;

(3) is approved by an engineer, including an approval evidenced by an engineer stamp on a plan or document for a prefabricated building; and

1 (4) has a slab that is approved by an engineer for the
2 specific building approved under Subdivision (3), including an
3 approval evidenced by an engineer stamp on a plan or document of the
4 slab's intended purpose.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2011.