

By: Truitt

H.B. No. 1876

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of certain municipalities to require fire  
3 protection sprinkler systems in certain residences.

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

5 SECTION 1. Section 1301.551(e), Occupations Code, as added  
6 by Chapter 804 (S.B. 1410), Acts of the 81st Legislature, Regular  
7 Session, 2009, is amended to read as follows:

8 (e) Notwithstanding any other provision of state law, after  
9 January 1, 2009, a municipality may not enact an ordinance, bylaw,  
10 order, building code, or rule requiring the installation of a  
11 multipurpose residential fire protection sprinkler system or any  
12 other fire sprinkler protection system in an [~~a new or~~] existing  
13 one- or two-family dwelling. A municipality may enact an  
14 ordinance, bylaw, order, building code, or rule requiring the  
15 installation of a multipurpose residential fire protection  
16 sprinkler system or any other fire sprinkler protection system in a  
17 new one- or two-family dwelling only if the municipality holds an  
18 election called for the purpose of authorizing the municipality to  
19 enact the requirement and a majority of the voters approve the  
20 proposition. A municipality may adopt an ordinance, bylaw, order,  
21 or rule allowing a multipurpose residential fire protection  
22 sprinkler specialist or other contractor to offer, for a fee, the  
23 installation of a fire sprinkler protection system in a new one- or  
24 two-family dwelling.

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