

**BILL ANALYSIS**

C.S.H.B. 3221  
By: Springer  
Urban Affairs  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

There is concern that many facilities, such as home health care and day care facilities, do not receive fire safety inspections because there are not enough certified inspectors. Interested parties contend that additional fire safety training programs may help address this shortage. C.S.H.B. 3221 seeks to expand the options for receiving fire safety inspection training.

**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**

C.S.H.B. 3221 amends the Government Code to authorize the following entities to provide training related to fire safety inspections required by a state or local law, rule, regulation, or ordinance: the Texas Commission on Fire Protection, the State Firemen's and Fire Marshals' Association of Texas, the National Fire Protection Association, a public junior college, a regional fire academy, or any state agency with authority over fire safety inspections.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3221 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 419.909, Government Code, is amended to read as follows:  
Sec. 419.909. FIRE SAFETY INSPECTIONS. (a) ~~Only an individual certified by the commission as a fire inspector may conduct a~~ fire safety inspection required by a state or local law, rule, regulation, or ordinance. may be conducted by an individual certified by:  
(1) the Texas Commission on Fire Protection,  
(2) the State Firemen's and Fire Marshals'

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 419.909(a), Government Code, is amended to read as follows:  
(a) **commission** Only an individual certified by the **commission** as a fire inspector may conduct a fire safety inspection required by a state or local law, rule, regulation, or ordinance.

Association,  
(3) the National Fire Protection Association,  
(4) the International Code Council, or  
(5) any other state agency with authority over fire safety inspections.

The following entities may provide training related to fire safety inspections:

- (1) the commission;
- (2) the State Firemen's and Fire Marshals' Association of Texas;
- (3) the National Fire Protection Association;
- (4) a public junior college;
- (5) a regional fire academy; or
- (6) any state agency with authority over fire safety inspections.

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

- (1) the most recent local fire code; or
- (2) the most recent fire code adopted by the state fire marshal.

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

SECTION 2. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.