

By: Watson

S.B. No. 1801

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of fire hydrant requirements for a wildland-urban interface in certain municipalities.

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

SECTION 1. Subtitle C, Title 9, Health and Safety Code, is amended by adding Chapter 797 to read as follows:

CHAPTER 797. WILDFIRE PREVENTION

Sec. 797.001. DEFINITIONS. In this chapter:

(1) "Director" means the director of the Texas A&M Forest Service.

(1-a) "Municipal utility" means a retail public utility, as defined by Section 13.002, Water Code, that is owned by a municipality.

(2) "Wildfire" and "wildland" have the meanings assigned by Section 88.1015, Education Code.

(3) "Wildland-urban interface" means a place where an urban area and wildland meet and that:

(A) is designated by the director to be an at-risk area for wildfires; or

(B) is an area within one-half mile of a place described by Paragraph (A).

Sec. 797.002. FIRE HYDRANT REQUIREMENTS FOR WILDLAND-URBAN INTERFACE. (a) This section applies only to a municipality with a population of 2,500 or more, located in a county that has a

1 population of more than one million and less than 1.5 million, that  
2 has within its boundaries a wildland-urban interface.

3 (b) Except as otherwise provided by Subsection (d), a  
4 governing body of a municipality may by ordinance require a fire  
5 hydrant located in that municipality to conform to flow and  
6 pressure standards established by the ordinance.

7 (c) A municipality may consult with county and state fire  
8 prevention agencies in adopting standards under Subsection (b).

9 (d) A municipality may not adopt an ordinance under  
10 Subsection (b) unless the municipality makes a reasonably diligent  
11 effort to:

12 (1) consider other available options for reducing the  
13 threat of wildfires;

14 (2) estimate the probable cost to consumers of an  
15 ordinance adopted under Subsection (b); and

16 (3) consider any available method for reducing the  
17 cost described by Subdivision (2).

18 (e) If the municipality owns a municipal utility, an  
19 ordinance adopted under Subsection (b) may not require another  
20 utility located in the municipality or the municipality's  
21 extraterritorial jurisdiction to provide water flow and pressure in  
22 a fire hydrant at a level greater than that provided by the  
23 municipal utility.

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

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1 Act takes effect September 1, 2013.