

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB766 by Hegar (Relating to the licensure or certification of volunteer firefighters and members of industrial emergency response teams.), **Committee Report 2nd House, Substituted**

The provisions of the bill could result in an indeterminate negative revenue impact to the Texas Commission on Fire Protection resulting from an indeterminate number of volunteer fire fighters who opt not to acquire or renew their firefighter certification.

The bill would amend the Government Code to proscribe a state agency from requiring the licensing or certification of an individual as a condition of being a volunteer firefighter, or requiring a member of an industrial emergency response team to obtain a license or certification as a condition of being a member of such a team. The bill would define a "volunteer firefighter" as a member of a volunteer fire department who is not a full-time paid employee.

According to the Texas Commission on Fire Protection (TCFP), volunteer fire fighters currently voluntarily participate in TCFP programs which generate revenue that varies annually depending on participation levels. Currently, there are 3,135 individual certificate holders and TCFP estimates that up to 60 percent of these are volunteer fire fighters. To hold certification with TCFP, individuals must take a certification examination and pay a fee of \$85; then submit an application for certification with an additional fee of \$85, totaling \$170 to initially become certified by TCFP. The individuals then pay a certification renewal fee of \$85 annually if they wish to continue to hold certification with the agency.

The TCFP estimates the bill would have a negative impact on revenue generated by the agency to the degree volunteers noted above who participate in the programs offered by the agency opt not to participate. This fiscal note assumes the number of those volunteers opting not to obtain a license or certification from TCFP is indeterminate.

The bill would take effect immediately if it receives the requisite two-thirds vote of all members of the legislature as provided by Section 39, Article III, Texas Constitution. Otherwise, the bill would take effect on September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 411 Commission on Fire Protection

LBB Staff: UP, RB, AI, JAW, KKR, SD, TP