

SENATE AMENDMENTS

2nd Printing

By: Howard

H.B. No. 3813

A BILL TO BE ENTITLED

AN ACT

relating to municipal fire suppression standards in certain municipalities.

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

SECTION 1. Chapter 342, Local Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 342.901. FIRE SUPPRESSION STANDARDS IN CERTAIN MUNICIPALITIES. (a) This section applies to a general law municipality that:

(1) has a population of less than 4,000;

(2) is located in a county that:

(A) has a population of more than one million; and

(B) is adjacent to a county with a population of more than 420,000; and

(3) is served by a district governed by Chapter 51, Water Code.

(b) Notwithstanding any other law, the governing body of a municipality may by ordinance establish water flow and water pressure standards sufficient to provide adequate pressure to fire suppression systems and require a district described by Subsection (a)(3) that provides water service in the municipality to take reasonable measures to comply with those standards.

1 (c) To the extent of a conflict between this section and any
2 other law, this section controls.

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

ADOPTED

MAY 20 2013

Greg Evers
Secretary of the Senate

By: Howard Watson

H.B. No. 3813

Substitute the following for ___B. No. _____:

By: *Greg Evers*

C.S. ___B. No. _____

A BILL TO BE ENTITLED

AN ACT

1
2 relating to municipal fire suppression standards in certain
3 municipalities.

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

5 SECTION 1. Chapter 342, Local Government Code, is amended
6 by adding Subchapter Z to read as follows:

7 SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

8 Sec. 342.901. FIRE SUPPRESSION STANDARDS IN CERTAIN
9 MUNICIPALITIES. (a) This section applies to a general law
10 municipality that:

11 (1) has a population of less than 4,000;

12 (2) is located in a county that:

13 (A) has a population of more than one
14 million; and

15 (B) is adjacent to a county with a population of
16 more than 420,000; and

17 (3) is served by a district governed by Chapter 51,
18 Water Code.

19 (b) Notwithstanding any other law, the governing body of a
20 municipality may by ordinance establish water flow and water
21 pressure standards sufficient to provide adequate pressure to fire
22 suppression systems and require a district described by Subsection
23 (a)(3) that provides water service in the municipality to take
24 reasonable measures to comply with those standards.

1 (c) Before a municipality adopts an ordinance under this
2 section, the municipality shall, in consultation with the district
3 described by Subsection (a)(3) that is subject to the proposed
4 ordinance, estimate the costs associated with the proposed
5 ordinance.

6 (d) A district described by Subsection (a)(3) may recover
7 the costs associated with complying with an ordinance adopted under
8 this section through a surcharge assessed only to customers served
9 in the municipality to the extent that:

10 (1) complying with the ordinance results in additional
11 costs for the district; and

12 (2) the ordinance establishes water flow and water
13 pressure standards inside municipal boundaries that are different
14 than water flow and water pressure standards required outside
15 municipal boundaries.

16 (e) To the extent of a conflict between this section and any
17 other law, this section controls.

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

FLOOR AMENDMENT NO. 1

BY: *Thule Norton*

1 Amend C.S.H.B. No. 3813 (senate committee printing) in
2 SECTION 1 of the bill as follows:

3 (1) Strike added Section 342.901(c), Local Government Code
4 (page 1, lines 47-51), and substitute the following:

5 (c) Before a municipality adopts an ordinance under this
6 section, the municipality and the district described by
7 Subsection (a)(3) that is subject to the proposed ordinance
8 shall establish the scope of and estimate the costs associated
9 with any capital improvements necessary to comply with the
10 proposed ordinance.

11 (2) In added Section 342.901(d)(1), Local Government Code
12 (page 1, line 56), after "additional", insert "capital
13 improvement".

14 (3) In added Section 342.901(d)(2), Local Government Code
15 (page 1, line 59), strike "different" and substitute "more
16 stringent".

ADOPTED
MAY 20 2013
Debra G. [Signature]
Sen. Staff Director

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3813 by Howard (Relating to municipal fire suppression standards in certain municipalities.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SZ, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 14, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3813 by Howard (Relating to municipal fire suppression standards in certain municipalities.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SZ, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 10, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3813 by Howard (Relating to municipal fire suppression standards in certain municipalities.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SZ, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 18, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3813 by Howard (relating to municipal fire suppression standards in certain municipalities.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 9, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3813 by Howard (Relating to wildfire prevention in certain urban areas.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP