

By: Sheets

H.B. No. 684

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a county to adopt a fire code.

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

SECTION 1. Section 233.061(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of a county with a population of over 25,000 [~~250,000~~] or a county adjacent to a county with a population of over 250,000 may adopt a fire code and rules necessary to administer and enforce the fire code.

SECTION 2. Section 233.062, Local Government Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1) The commissioners court of a county with a population of 250,000 or less that is not adjacent to a county with a population of more than 250,000 may not adopt a fire code that applies to:

(1) a building or other structure used by a person who holds a retail fireworks permit issued under Section 2154.202, Occupations Code, for the exclusive purpose of selling fireworks;

(2) a building or other structure used for an agricultural operation, as defined by Section 251.002, Agriculture Code;

(3) the facilities or operations of energy transporters; or

(4) any activities related to the drilling,

1 exploration including completion, production, or processing of oil
2 or natural gas.

3 (b-2) The commissioners court of a county with a population
4 over 250,000 or a county adjacent to a county with a population over
5 250,000 may not adopt a fire code that applies to a building or
6 structure used for an agricultural operation, as defined by Section
7 251.002, Agriculture Code, unless the commissioners court has
8 adopted a fire code under this subchapter before January 1, 2016.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2015.