

By: Kuempel

H.B. No. 2426

Substitute the following for H.B. No. 2426:

By: Anderson of Dallas

C.S.H.B. No. 2426

A BILL TO BE ENTITLED

AN ACT

relating to the effect on local regulation of state law for fire extinguisher service and installation; authorizing a fee.

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

SECTION 1. Subchapter A, Chapter 6001, Insurance Code, is amended by adding Section 6001.003 to read as follows:

Sec. 6001.003. EFFECT ON LOCAL REGULATION. (a) This chapter and the rules adopted under this chapter have uniform force and effect throughout this state. A municipality or county may not adopt or enforce an ordinance, order, or rule inconsistent with this chapter or rules adopted under this chapter. An inconsistent ordinance, order, or rule is void and has no effect.

(b) Notwithstanding Subsection (a), a municipality or county may by ordinance or order:

(1) require the installation of a fixed fire extinguisher system or portable fire extinguisher in certain facilities if the installation conforms to the applicable laws of this state; and

(2) adopt more stringent standards for a fixed fire extinguisher system or portable fire extinguisher or standards that create a safer condition than the standards established under this chapter and the rules adopted under this chapter.

(c) A municipality, county, or other political subdivision of this state may not require, as a condition of engaging in

1 business or performing any activity authorized under this chapter,  
2 that a registered firm, a license holder, or an employee of a  
3 license holder:

- 4           (1) obtain a registration, franchise, or license;  
5           (2) pay any fee or franchise tax; or  
6           (3) post a bond.

7           (d) Notwithstanding any other provision of this section or  
8 Section 6001.156, a municipality or county may by ordinance or  
9 order require a registered firm to obtain a permit and pay a permit  
10 fee for the installation of a fixed fire extinguisher system and  
11 require that the installation of such a fixed fire extinguisher  
12 system be in conformance with the building code or other  
13 construction requirements of the municipality or county and the  
14 laws of this state.

15           (e) Notwithstanding Subsection (d), a municipality or  
16 county may not impose qualification or financial responsibility  
17 requirements other than proof of a registration certificate.

18           (f) A political subdivision may not require a registered  
19 firm, a license holder, or an employee of a registered firm to  
20 maintain a business location or residency within that political  
21 subdivision to engage in a business or perform any activity  
22 authorized under this chapter.

23           SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2015.