

By: Lucio

S.B. No. 1373

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 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. Sections 233.062(a) and (b), Local Government Code, are amended to read as follows:

(a) The fire code applies only to the following buildings constructed in an unincorporated area of the county:

- (1) an inhabitable [~~a~~] commercial establishment;
- (2) a public building; and
- (3) a multifamily residential dwelling consisting of four or more units.

(b) The fire code:

- (1) does not apply to:
 - (A) an industrial facility having a fire brigade that conforms to requirements of the Occupational Safety and Health [~~and Safety~~] Administration; or
 - (B) development on a tract of land appraised as agricultural or open-space land by the appraisal district; and

1 (2) may not be enforced in a manner that limits or
2 otherwise impairs the rights of individuals or entities in the
3 exploration, development, or production of oil, gas, or other
4 minerals.

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