

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 17, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1009** by Alonzo (Relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.), **As Engrossed**

|   |
|---|
| <b>No significant fiscal implication to the State is anticipated.</b> |
|---|

The bill would amend the Government Code to prevent a municipal employee of a certain type of locality from performing duties classified as wildland fire-fighting, unless the individual is:

- 1) A permanent, full-time fire department civil service employee who is regularly assigned to perform one or more of the following duties: fire suppression; fire inspection; fire and arson investigation; marine fire fighting; aircraft rescue and fire fighting; fire training; fire education; fire administration; and any other position necessarily or customarily related to fire prevention or suppression; or
- 2) Certified by the Texas Commission on Fire Protection to conduct wildland fire suppression activities under the supervision of a fire department authorized to act in the area in which the wildland firefighting duty is being performed.

The bill would allow a municipal employee to perform a duty that may be classified as a wildland fire-fighting duty if the municipal employee is not acting as an employee of a municipality when performing the duty and is acting as a member of a volunteer fire department when performing the duty. The bill would also allow a municipal employee to perform a prescribed burn under certain specified conditions.

The bill would also require the Texas Commission on Fire Protection to adopt and implement rules relating to implementing the provisions of the bill by no later than January 1, 2018.

The bill would take effect immediately upon a two-thirds vote of all members in both chambers; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Municipal League, the fiscal impact to municipalities to implement the provisions of the bill is not anticipated to be significant.

**Source Agencies:** 411 Commission on Fire Protection

**LBB Staff:** UP, JGA, AI, JAW