

BILL ANALYSIS

C.S.H.B. 4325
By: Martinez
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the absence of statutory qualifications for county fire marshals in line with Texas Commission on Fire Protection regulations. There have been calls to align state law with certain competency requirements to ensure that county fire marshals are adequately equipped to keep county residents safe. C.S.H.B. 4325 seeks to address this issue by authorizing certain counties to require that the county fire marshal meet certain qualifications.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4325 amends the Local Government Code to authorize a county with a population over 250,000 that has adopted a fire code, or a county adjacent to such a county that has adopted a fire code, to require the county fire marshal to be certified by the Texas Commission on Fire Protection (TCFP) as head of a prevention only fire department.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4325 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original required any county fire marshal to meet certain TCFP certification standards and applicable requirements for peace officers, whereas the substitute authorizes certain counties to require a county fire marshal to meet those TCFP certification standards.

The substitute includes a procedural provision absent from the original.