87R6587 CXP-D

By:  Martinez, Rodriguez H.B. No. 1819

A BILL TO BE ENTITLED

AN ACT

relating to the powers of board members of certain emergency services districts.

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

SECTION 1.  Subchapter C, Chapter 775, Health and Safety Code, is amended by adding Section 775.0361 to read as follows:

Sec. 775.0361.  FIRE CODE IN CERTAIN DISTRICTS. (a) Two or more districts may adopt and enforce a fire code, including fines for any violations, for the area served by the districts if the districts have established a joint response area through contracts under Section 775.031(a) that includes land in two or more counties. A fire code adopted under this section must be similar to standards adopted by a nationally recognized standards-making association.

(b)  Notwithstanding Sections 775.036(b) and (b-1), a provision in a fire code adopted under Subsection (a) prevails over a provision in a fire code adopted by a county regardless of whether the provision is less stringent than the provision adopted by the county.

(c)  The board of a district that adopts a fire code under this section may not enforce the fire code in the boundaries of a municipality that has adopted a fire code, except for an area that has been annexed only for limited purposes in which the municipality does not enforce a fire code.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.