

By: Shaheen

H.B. No. 3398

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the composition of the Texas Commission on Fire  
3 Protection.

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

5 SECTION 1. Section 419.004, Government Code, is amended by  
6 amending Subsection (a) and adding Subsection (a-1) to read as  
7 follows:

8 (a) The commission is composed of the following 13 members:

9 (1) two members to be selected from a list of five  
10 names submitted by the Texas Fire Chiefs Association who are chief  
11 officers with a minimum rank that is equivalent to the position  
12 immediately below that of the fire chief and who are employed in  
13 fire departments as defined by Section 419.021 that are under the  
14 jurisdiction of the commission, at least one of whom must be the  
15 head of a fire department and one of whom must be employed by a  
16 political subdivision with a population of less than 100,000;

17 (2) two members to be selected from a list of five  
18 names submitted by the Texas State Association of Fire Fighters who  
19 are fire protection personnel as defined by Section 419.021 with  
20 the rank of battalion chief or below and who are employed in fire  
21 departments or other appropriate local authorities under the  
22 jurisdiction of the commission, one of whom must be employed by a  
23 political subdivision with a population of less than 100,000;

24 (3) two members to be selected from a list of five

1 names submitted by the State Firemen's and Fire Marshals'  
2 Association of Texas who are volunteer fire chiefs or volunteer  
3 fire fighters;

4           (4) one member who is a chief officer with a minimum  
5 rank that is equivalent to the position immediately below that of  
6 the fire chief, who is employed in a fire department as defined by  
7 Section 419.021 that is under the jurisdiction of the commission  
8 and that serves a population of 100,000 or more;

9           (5) one certified fire protection engineer;

10           ~~[(5) one certified arson investigator or certified~~  
11 ~~fire protection inspector,]~~

12           (6) one fire protection instructor from an institution  
13 of higher education as defined by Section 61.003, Education Code;  
14 and

15           (7) four public members.

16           (a-1) One of the commission members must be a certified  
17 arson investigator or certified fire protection inspector.

18           SECTION 2. The changes in law made by this Act to the  
19 qualifications of members of the Texas Commission on Fire  
20 Protection do not affect the entitlement of a member serving on the  
21 commission immediately before the effective date of this Act to  
22 continue as a member of the commission for the remainder of the  
23 member's term. The changes in law apply only to a member appointed  
24 on or after the effective date of this Act. This Act does not  
25 prohibit a person who is a member of the commission on the effective  
26 date of this Act from being reappointed to the commission if the  
27 person has the qualifications required for a member under Section

1 [419.004](#), Government Code, as amended by this Act.

2 SECTION 3. This Act takes effect September 1, 2021.