

BILL ANALYSIS

Senate Research Center
88R14454 RDS-F

H.B. 4073
By: Lozano (Alvarado)
Local Government
5/5/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Across many areas of Texas, the Texas Commission on Fire Protection (TCFP) has observed significant growth in career fire departments, particularly volunteer fire departments that are transitioning to full-time career departments. At the same time, many departments are unable to attract a sufficient number of certified applicants to meet the demands for service delivery. Currently, a firefighter only has one year to renew their certification after it expires, but TCFP regularly hears from former firefighters who have allowed their certification to expire for longer than one year and now wish to reengage with a different fire department. These individuals are required to retake the written examination and complete skills testing to obtain a new certificate. H.B. 4073 seeks to address this issue by requiring TCFP to adopt rules that provide a process for renewing a fire protection personnel certificate that has been expired for more than one year but not more than five years.

H.B. 4073 amends current law relating to the renewal of certain expired certificates issued by the Texas Commission on Fire Protection and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Fire Protection in SECTION 1 (Section 419.0341, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 419.0341, Government Code, by amending Subsection (e) and adding Subsection (e-1), as follows:

(e) Prohibits a person, if the person's certificate has been expired for more than five years, rather than for one year or longer, from renewing the certificate.

(e-1) Authorizes the person, if the person's certificate has been expired for more than one year but not more than five years, to renew the certificate in accordance with rules established by the Texas Commission on Fire Protection (TCFP). Requires TCFP by rule to establish:

(1) a system for renewing a certificate under this subsection;

(2) a list of criteria a person is required to satisfy to renew a certificate under this subsection; and

(3) a fee for renewing a certificate under this subsection.

SECTION 2. Makes application of this Act prospective to January 1, 2024.

SECTION 3. Requires TCFP, not later than January 1, 2024, to adopt rules providing for the renewal of a certificate under Section 419.0341(e-1), Government Code, as added by this Act.

SECTION 4. Effective date: September 1, 2023.