

BILL ANALYSIS

H.B. 4073
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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.

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 rulemaking authority is expressly granted to the Texas Commission on Fire Protection in SECTION 1 of this bill.

ANALYSIS

H.B. 4073 amends the Government Code to extend from one year or longer to more than five years the length of time a person's fire protection personnel certificate has been expired after which the person may not renew the certificate. The bill authorizes a person whose 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) and requires TCFP by rule to establish the following:

- a system for renewing a certificate;
- a list of criteria a person must satisfy to renew a certificate; and
- a fee for renewing a certificate.

The bill applies only to a certificate that expires in accordance with rules adopted by TCFP on or after January 1, 2024, under statutory provisions relating to certificate expiration. The bill requires TCFP to adopt rules not later than January 1, 2024, providing for the renewal of a certificate under the bill's provisions.

EFFECTIVE DATE

September 1, 2023.