

By: Martinez

H.B. No. 1205

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of a county fire code and the authority of a county fire marshal in certain areas subject to another fire code or certain interlocal agreements.

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

SECTION 1. Section 233.062(b), Local Government Code, is amended to read as follows:

(b) The fire code does not apply:

(1) to an industrial facility having a fire brigade that conforms to requirements of the Occupational Health and Safety Administration; or

(2) in an area:

(A) located in a county with a population of more than 1.1 million and less than two million; and

(B) subject to:

(i) a fire code adopted and enforced by a municipality or emergency services district; or

(ii) an interlocal agreement between the county and a municipality or emergency services district for the county to not enforce the county fire code.

SECTION 2. Subchapter B, Chapter 352, Local Government Code, is amended by adding Section 352.0195 to read as follows:

Sec. 352.0195. LIMITED AUTHORITY IN CERTAIN AREAS. (a) This section applies only to an area described by Section

1 233.062(b)(2).

2 (b) The county fire marshal for a county in which an area to
3 which this section applies is located may not enforce the county's
4 fire code or act under Section 352.013, 352.015, or 352.016 in that
5 area.

6 SECTION 3. This Act takes effect September 1, 2023.