**BILL ANALYSIS**

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| Senate Research Center | C.S.S.B. 34 |
| 89R22572 SCF-F | By: Sparks |
|  | Water, Agriculture and Rural Affairs |
|  | 4/7/2025 |
|  | Committee Report (Substituted) |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 2024 Panhandle Wildfires, the largest in Texas history, burned over one million acres, destroying ranches, livestock, and homes. Over the past two decades, the magnitude and intensity of wildfires have been growing statewide, with longer fire seasons and increasingly destructive events. On May 1, 2024, the Texas House Investigative Committee on Panhandle Wildfires examined the factors contributing to the recent fires.

The committee highlighted challenges facing the Texas Rural Volunteer Fire Department (VFD) Assistance Program due to underfunding. With an annual cap of $30 million and grant requests often exceeding $43 million, the program faces a $22 million shortfall, leaving fire departments with only partial funding for critical equipment. Rising wildfire frequency is partially driven by factors like aging utility poles and safety lapses at oil and gas well sites, where exposed wiring and electrical equipment pose ignition risks. Among fires with identified causes, wildfires started by power lines have been among the most destructive in the region between 2000 and 2024, causing more than 1,300 fires that burned more than 1.4 million acres.

S.B. 34 aims to better prepare the state for ongoing wildfire threats through several key measures. It requires the Texas A&M Forest Service to create and maintain a statewide database of firefighting equipment, which will be accessible to all fire departments and updated annually. The bill also increases the funding cap for the Rural Volunteer Fire Department Assistance Fund from $30 million to $40 million, with 10 percent of the funds designated for high-risk wildfire areas. Additionally, an appointed Interoperability Council will develop a strategic plan to improve emergency communication equipment interoperability between local, state, and federal agencies. Lastly, the bill clarifies a memorandum of understanding that requires the Railroad Commission to notify the Public Utility Commission about concerning situations at energy and electricity facilities.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 34 amends current law relating to the preparation for and the prevention, management, and potential effects of wildfires and to emergency communications in this state and authorizes an increase in the assessment on certain insurers that fund the volunteer fire department assistance fund.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Defines "fuel loading," "service," and "university."

(b) Requires the Texas A&M Forest Service (forest service) and West Texas A&M University (WTA&M) to jointly conduct a study to determine the status and condition of fuel loading in wildfire risk zones in this state and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of this state.

(c) Requires the forest service and WTA&M, in conducting the study, to:

(1) establish wildfire risk zones based on fuel loading and the risk of wildfire to the residents, homes, businesses, and ecology of this state within geographic areas defined by the forest service; and

(2) solicit and consider information from certain entities.

(d) Requires that the study, for each wildfire risk zone established under Subsection (c)(1) of this section, consider certain risks, and impacts, assess the overall economic benefits to this state of certain projects to stop fires, and recommend changes to existing law to ensure that public and private natural resources managers have the authority and ability to appropriately mitigate fuel loading risks in each established risk zone.

(e) Requires the forest service and WTA&M, not later than December 1, 2026, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over the forest service or university or another state agency from which information is solicited under this section a written report that includes a summary of the study and any legislative recommendations based on the study.

(f) Provides that this section expires May 1, 2027.

SECTION 2. Amends Subchapter B, Chapter 88, Education Code, by adding Section 88.1255, as follows:

Sec. 88.1255. STATEWIDE DATABASE OF FIREFIGHTING EQUIPMENT. (a) Defines "fire department."

(b) Requires the forest service to create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment available for use in responding to wildfires.

(c) Requires that the database:

(1) include a description of the type of firefighting equipment each fire department in the state has available for use in responding to wildfires;

(2) include contact information for the fire department that has the equipment;

(3) be searchable by location and equipment type; and

(4) be accessible by all fire departments in this state and allow each fire department to update the database information regarding the fire department's available equipment.

(d) Requires the forest service to:

(1) establish and maintain an electronic system to at least annually notify a fire department that provides the department's firefighting equipment information to the database of the requirement to update the information in the database; and

(2) assist a fire department that provides the department's firefighting equipment information to the database in updating the database annually or as soon as practicable after any change in equipment availability.

SECTION 3. Amends Section 614.102, Government Code, by adding Subsection (i), as follows:

(i) Provides that at least 10 percent of appropriations for a state fiscal year from the fund for the purposes of providing assistance to volunteer fire departments under the program is allocated for volunteer fire departments located in areas of this state the forest service determines are at high risk for large wildfires. Authorizes the remainder, if the amount of assistance requested under this subsection in a state fiscal year is less than the amount allocated under this subsection, to be used for other types of assistance requests.

SECTION 4. Amends Section 2007.002, Insurance Code, as follows:

Sec. 2007.002. ASSESSMENT. Requires the Comptroller of Public Accounts of the State of Texas to assess against all insurers to which Chapter 2007 (Assessment for Rural Fire Protection) applies amounts for each state fiscal year necessary, as determined by the commissioner of insurance, to collect a combined total equal to the lesser of $40 million, rather than $30 million.

SECTION 5. Amends Section 91.019, Natural Resources Code, as follows:

Sec. 91.019. STANDARDS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF ELECTRICAL POWER LINES. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires the Railroad Commission of Texas (RRC), if, during an inspection of a well site or surface facility employed in operations incident to oil and gas development and production, RRC discovers a condition involving an electrical power line that does not meet the standards described by Subsection (a), to notify the Public Utility Commission of Texas (PUC). Requires RRC and the PUC, in collaboration, to resolve the condition, to:

(1) notify the applicable electric utility providing electric power to the well site or surface facility of the condition and require the electric utility to make a determination regarding whether electric power should be disconnected from the site or facility;

(2) request that the state fire marshal or a local government authority inspect the well site or surface facility and require the operator to mitigate any dangerous conditions identified by the state fire marshal or local government authority; or

(3) issue notice to the applicable electric utility to investigate the condition and disconnect electric service, if necessary

SECTION 6. Makes application of Section 91.019, Natural Resources Code, as amended by this Act, prospective.

SECTION 7. Effective date: September 1, 2025.