

BILL ANALYSIS

Senate Research Center
89R4539 SCL-F

S.B. 628
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Local Government
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not explicitly authorize county commissioners courts to delegate fire code enforcement responsibilities to emergency service districts (ESDs) through interlocal agreements, resulting in inefficiencies, duplicate fees for developers, and jurisdictional disputes.

S.B. 628 would address these shortcomings by clarifying the authority of counties to establish interlocal agreements with ESDs for fire code enforcement. This change would eliminate duplication, resolve jurisdictional ambiguity, improve efficiency, reduce building permit costs, and enhance effective fire safety enforcement.

As proposed, S.B. 628 amends current law relating to the administration and enforcement of a county fire code.

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. Amends Section 233.061, Local Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Authorizes the commissioners court of a county that adopts a fire code under Subsection (a) (relating to a county with a population of over 250,000 or a county adjacent to a county with a population of over 250,000), rather than the commissioners court or any municipality in the county, to contract with a municipality located in the county or an emergency services district located wholly in the county, rather than one another, for the administration and enforcement of the fire code.

(c) Authorizes an emergency services district that has adopted a fire code and that is wholly located in one county to enter into an interlocal agreement with the county to delegate to the district all or part of the county's authority to enforce the county's fire code.

SECTION 2. Amends Section 352.019, Local Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Creates an exception under Subsection (a-1).

(a-1) Requires the county fire marshal to delegate the administration and enforcement of the county's fire code to a municipality or emergency services district in accordance with a contract entered into by the commissioners court of the county under Section 233.061 (Authority to Adopt and Enforce Fire Code).

SECTION 3. Effective date: September 1, 2025.