

By: Flores, Cole, Zwiener, et al.

H.B. No. 1701

Substitute the following for H.B. No. 1701:

By: Bell of Montgomery

C.S.H.B. No. 1701

A BILL TO BE ENTITLED

AN ACT

relating to the administration and enforcement of a county fire code.

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

SECTION 1. Section 233.061, Local Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The commissioners court of a county that adopts a fire code under Subsection (a) [~~, or any municipality in the county,~~] may contract with a municipality located in the county or an emergency services district located in the county [~~one another~~] for the administration and enforcement of the fire code.

(c) An emergency services district that has adopted a fire code and that is located in a county may 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. Section 352.019, Local Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsection (a-1), the [~~The~~] county fire marshal shall enforce all state and county regulations that relate to fires, explosions, or damages of any kind caused by a fire or explosion.

(a-1) The county fire marshal shall delegate the

1 administration and enforcement of the county's fire code to a
2 municipality or emergency services district in accordance with a
3 contract entered into by the commissioners court of the county
4 under Section [233.061](#).

5 SECTION 3. This Act takes effect September 1, 2025.