

BILL ANALYSIS

C.S.H.B. 1510
By: Isaac
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that certain functions relating to emergency services districts performed by the Department of Agriculture (TDA) would benefit from being housed in an agency more closely aligned to the districts' purposes. C.S.H.B. 1510 seeks to address this issue by providing for the transfer of certain functions related to emergency services districts from the TDA to the Texas Division of Emergency Management.

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

ANALYSIS

C.S.H.B. 1510 amends the Government Code to transfer the emergency services district program from the Department of Agriculture (TDA) to the Texas Division of Emergency Management and provides for such transfer not later than January 1, 2018.

C.S.H.B. 1510 amends the Health and Safety Code to change from the Office of Rural Affairs in the TDA to the Texas Division of Emergency Management the entity with which an emergency services district is required to file the district's annual report. This change applies only to an annual report due on or after January 1, 2019.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1510 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 419.904, Government Code, is amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision. (*But see SECTION 1 below.*)

Sec. 419.904. [TECHNICAL]
ASSISTANCE TO EMERGENCY
SERVICES DISTRICTS.

The commission may ~~on request~~ provide:
(1) to emergency services districts technical assistance on request [to emergency services districts], including advice on the efficient and effective provision of fire protection within a district;
(2) to fire departments in rural areas information relating to assistance programs offered to rural volunteer firefighters, including the federal Staffing for Adequate Fire and Emergency Response grant program to help fire departments increase staffing and deployment capabilities; and
(3) to rural homeowners information relating to the benefits of volunteer fire departments, including a reduction in homeowners insurance risk ratings, lower homeowners insurance rates, and better fire protection.

No equivalent provision. (*But see SECTION 1 above and SECTION 4 below.*)

SECTION 1. Section 487.061, Government Code, is transferred to Subchapter C, Chapter 418, Government Code, redesignated as Section 418.053, Government Code, and amended to read as follows:

Sec. 418.053 [487.061]. EMERGENCY SERVICES DISTRICT PROGRAM. (a) The division [department] shall serve as a resource to provide interested rural communities with:

- (1) general information about emergency services districts; and
- (2) information and training related to the establishment of an emergency services district.

(b) The division [department] may:

- (1) provide to fire departments in rural areas information relating to assistance programs offered to rural volunteer firefighters, including the federal Staffing for Adequate Fire and Emergency Response grant program to help fire departments increase staffing and deployment capabilities; and
- (2) provide to rural homeowners information relating to the benefits of volunteer fire departments, including a reduction in homeowners insurance risk ratings, lower homeowners insurance rates, and better fire protection.

SECTION 2. Subchapter B, Chapter 12, Health and Safety Code, is amended by adding Section 12.021 to read as follows:

Sec. 12.021. EMERGENCY SERVICES DISTRICT PROGRAM. The department shall serve as a resource to provide interested rural communities with:

- (1) general information about emergency services districts; and
- (2) information and training related to the establishment of an emergency services district.

SECTION 3. Sections 775.083(a), (b), and (c), Health and Safety Code, are amended to read as follows:

(a) On or before January 1 of each year, a district shall file with the ~~[Texas] Department of State Health Services [Rural Affairs]~~ an annual report that includes the following:

- (1) the district's name;
- (2) the name of each county in which the district is located;
- (3) the district's business address;
- (4) the name, mailing address, and term of office of each commissioner;
- (5) the name, mailing address, and term of office of the district's general manager, executive director, and fire chief;
- (6) the name of each legal counsel or other consultant for the district; and
- (7) the district's annual budget and tax rate for the preceding fiscal year.

(b) ~~The [Texas] Department of State Health Services [Rural Affairs]~~ may not charge a fee for filing the report.

(c) ~~The [Texas] Department of State Health Services [Rural Affairs]~~ shall develop and maintain an Internet-based system that enables:

- (1) a district to securely file the report and update the district's information; and
- (2) the public to view, in a searchable format, the reports filed by districts under this section.

SECTION 4. Section 487.061, Government Code, is repealed.

No equivalent provision.

No equivalent provision.

SECTION 2. Sections 775.083(a), (b), and (c), Health and Safety Code, are amended to read as follows:

(a) On or before January 1 of each year, a district shall file with the ~~Texas Division of Emergency Management [Department of Rural Affairs]~~ an annual report that includes the following:

- (1) the district's name;
- (2) the name of each county in which the district is located;
- (3) the district's business address;
- (4) the name, mailing address, and term of office of each commissioner;
- (5) the name, mailing address, and term of office of the district's general manager, executive director, and fire chief;
- (6) the name of each legal counsel or other consultant for the district; and
- (7) the district's annual budget and tax rate for the preceding fiscal year.

(b) ~~The Texas Division of Emergency Management [Department of Rural Affairs]~~ may not charge a fee for filing the report.

(c) ~~The Texas Division of Emergency Management [Department of Rural Affairs]~~ shall develop and maintain an Internet-based system that enables:

- (1) a district to securely file the report and update the district's information; and
- (2) the public to view, in a searchable format, the reports filed by districts under this section.

No equivalent provision. (*But see SECTION 1 above.*)

SECTION 3. Not later than January 1, 2018, the following are transferred from the Department of Agriculture to the Texas Division of Emergency Management:

- (1) the powers, duties, functions, programs,

and activities of the Department of Agriculture relating to the duties described by Section 418.053, Government Code, as transferred, redesignated, and amended by this Act;

(2) any obligations and contracts of the Department of Agriculture that are directly related to implementing a power, duty, function, program, or activity described by Subdivision (1) of this section; and

(3) all property and records in the custody of the Department of Agriculture that are related to a power, duty, function, program, or activity described by Subdivision (1) of this section and all funds appropriated by the legislature for that power, duty, function, program, or activity.

SECTION 5. The change in law made by this Act to Section 775.083, Health and Safety Code, applies only to an annual report due on or after January 1, 2019. An annual report due before January 1, 2019, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2017.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.