

SUBJECT: Rules on continuing education programs for fire alarm device installation

COMMITTEE: Insurance — committee substitute recommended

VOTE: 7 ayes — Oliverson, Vo, J. González, Israel, Paul, Romero, Sanford

2 nays — Hull, Middleton

WITNESSES: For — Cindy Giedraitis, National Fire Sprinkler Association; Kelly Ryan, Texas Burglar & Fire Alarm Association; *(Registered, but did not testify:* Bill Kelly, Mayor's Office for City of Houston)

Against — None

BACKGROUND: Insurance Code ch. 6002 regulates the certification, sale, servicing, installation, and maintenance of fire detection and alarm devices. The commissioner of the Texas Department of Insurance is allowed to adopt rules to administer ch. 6002, including rules deemed necessary to administer the chapter through the state fire marshal.

Sec. 6002.159 allows the commissioner to adopt procedures for certifying continuing education programs. Participation in the continuing education programs is voluntary.

Interested parties note that, because participation in continuing education programs for fire detection and alarm device installation is voluntary, licensed fire alarm technicians may not be properly trained. Suggestions have been made to grant authority to the commissioner of insurance for determining the appropriate level of participation in certified continuing education programs.

DIGEST: CSHB 2885 would replace a provision in current law regarding voluntary participation in the continuing education program by allowing the commissioner of the Texas Department of Insurance (TDI) to adopt a rule that required up to eight hours of continuing education for any license renewal period.

The bill would prohibit the TDI commissioner from adopting a rule that excluded or devalued a signed or otherwise substantially verifiable certification of training that was:

- applicable to the areas of work authorized by the relevant license;
and
- issued by a training program or school that was nationally recognized or authorized under the Occupations Code or Education Code.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.