

## **BILL ANALYSIS**

Senate Research Center

S.B. 1022  
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### **DIGEST AND PURPOSE**

Currently, the Health and Safety Code provides an emergency services district (district) multiple tools to fulfill its purpose, which is to protect the life and health of the citizens living within the district's boundaries, to protect life and property from fire, and to conserve natural and human resources. As proposed, S.B. 1022 authorizes a district to employ a peace officer and clarifies that a district may contract with another political subdivision or the state for law enforcement services, as well as providing standards for adoption of a fire code by a district. This bill also expands the options for a district to construct public works to include the alternative bidding procedures and clarifies that districts may borrow money or enter into other financial arrangement to construct facilities.

### **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 775.031 (c), Health and Safety Code, to authorize an emergency services district (district) to contract with the state or a political subdivision for law enforcement services and enforcement of the district's fire code. Authorizes a district to commission a peace officer or employ a person as a peace officer, who holds a permanent peace officer license issued under Subsection 1701.307, Occupations Code.

SECTION 2. Amends Section 775.036, Health and Safety Code, by amending Subsections (b) and (g), as follows:

(b) Requires the district's fire code to be similar to standards adopted by a nationally recognized standards-making association. Authorizes the district's board to continue to enforce any provision of the district's fire code if the district adopted a fire code prior to the adoption of a fire code by a county that overlaps any portion of the district. Requires the more stringent provisions to be enforced to the extent the district's code and the county's code conflict. Prohibits the board from enforcing the district's fire code within the boundaries of a municipality that has adopted a fire code unless the area is a limited-purpose annexation area in which the city does not enforce a fire code.

(g) Authorizes the board to commission a peace officer or employ a person, who holds a permanent peace officer license issued under Subsection 1701.307, Occupations Code, to inspect any structure, appurtenance, fixture, or real property located in the district for fire hazards. Authorizes the board or the peace officer to order the owner or occupant of the premises to correct the hazardous situation.

SECTION 3. Amends Section 775.076(a), Health and Safety Code, to require the commissioners court of each county in which the district is located, before the board may issue bonds or notes authorized under this section, to approve the issuance of the bonds or notes by a majority vote.

SECTION 4. Amends Section 775.084(k), Health and Safety Code, to require a contract for a public works project to be administered in accordance with Chapters 271B or H, Local Government Code, except as provided by this section.

SECTION 5. Amends Sections 775.085(a) and (b), Health and Safety Code, as follows:

(a) Authorizes the board, on the behalf of the district, to borrow money and make other financial arrangements to purchase or construct emergency services facilities upon real property, or to purchase emergency services equipment in the amount and subject to a rate of interest or other conditions the board considers advisable.

(b) Authorizes the board, to secure a loan under this section, to make certain pledges, including real property acquired or improved or equipment acquired with the borrowed money.

SECTION 6. Effective date: upon passage or September 1, 2003.