

BILL ANALYSIS

Senate Research Center
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S.B. 1673
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the governor—from lists submitted by the Texas Fire Chiefs Association and the Texas State Association of Fire Fighters—appoints certain members of the Texas Commission on Fire Protection (TCFP). Individuals on the list(s) must meet certain qualifications, including the consideration of the population of the political subdivision where the individual is employed.

Presently, this threshold is set at 100,000, making it difficult to find citizens who are eligible and who are willing to serve. Increasing the limit from 100,000 to 150,000 will increase the number of suitable candidates for appointment.

Additionally, the amount of fees retained for operation used by TCFP is set at one-half of the amount collected per year. S.B. 1673 removes this provision and allows the amount of fees to be retained by TCFP as provided in the general appropriations bill.

As proposed, S.B. 1673 amends current law relating to the composition of the Texas Commission on Fire Protection and the disposition of certain fees collected by the commission.

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 419.004(a), Government Code, as follows:

(a) Provides that the Texas Commission on Fire Protection (TCFP) is composed of the following 13 members:

(1) two members to be selected from a list of five names submitted by the Texas Fire Chiefs Association who are chief officers with a minimum rank that is equivalent to the position immediately below that of the fire chief and who are employed in fire departments as defined by Section 419.021 (Definitions) that are under the jurisdiction of TCFP, at least one of whom must be the head of a fire department and one of whom must be employed by a political subdivision with a population of less than 150,000, rather than less than 100,000;

(2) two members to be selected from a list of five names submitted by the Texas State Association of Fire Fighters who are fire protection personnel as defined by Section 419.021 with the rank of battalion chief or below and who are employed in fire departments or other appropriate local authorities under the jurisdiction of TCFP, one of whom must be employed by a political subdivision with a population of less than 150,000, rather than less than 100,000; and

(3)-(7) Makes no changes to these subdivisions.

SECTION 2. Amends Section 419.026(d), Government Code, to require TCFP to send the fees authorized by Subsection (a) (relating to requiring TCFP to set and collect a fee for each certificate that TCFP issues or renews) and Section 419.033(b) (relating to requiring TCFP to issue a one-time certificate) to the comptroller of public accounts, who shall deposit the fees collected annually into a special account in the general revenue fund dedicated for use by TCFP, rather than deposit 50 percent of the fees collected annually into the general revenue fund and 50 percent of the fees collected annually into a special account in the general revenue fund dedicated for use by TCFP.

SECTION 3. Effective date: upon passage or September 1, 2011.