

SUBJECT: Requiring the Texas Commission on Fire Protection to conduct a study

COMMITTEE: Appropriations — committee substitute recommended

VOTE: 24 ayes — Pitts, Sylvester Turner, Ashby, Bell, G. Bonnen, Carter, Crownover, Darby, Giddings, Gonzales, Hughes, S. King, Longoria, Márquez, McClendon, Muñoz, Orr, Otto, Patrick, Perry, Price, Raney, Ratliff, Zerwas

0 nays

3 absent — S. Davis, Dukes, Howard

WITNESSES: For — Les Biunte; Joe Davis, Cyfair Volunteer Fire Department; (Registered, but did not testify: Jay Barksdale, Dallas Regional Chamber; Gary Bushell, Alliance for I-69 Texas; Ben Kissling, Northeast Tarrant Tea Party)

Against — Jimmy Chew and Laurence Ekiss, Texas Fire Chiefs Association; Mike Higgins, Texas State Association of Fire Fighters; Scott Kerwood, Texas Fire Chiefs Association, Hutto Fire Rescue; Leonardo Perez, Brownville Fire Department, Valley for the Texas Fire Chiefs Association; Jim Reidy; Steve Tull, Waco Professional Fire Fighters Association; (*Registered, but did not testify*: David Crow, Arlington Professional Fire Fighters Association; Wayne Delanghe, San Antonio Professional Firefighters Association Local 624; Pat English, Texas Fire Chiefs Association, Parker County ESD No. 3; Rob Gibson, Fort Worth Firefighters Association; John Green, Village Fire Fighters Association; Anthony Gumber, Tyler Professional Fire Fighters Association; Javier Gutierrez; Stephanie Johns, City of San Antonio; Dale Skinner, Seguin Fire Department; Manuel Vargas, McAllen Fire Fighters Association; Reynaldo Veliz, Laredo Firefighters Local 872; Johnny Villareal, Houston Fire Fighters Local 341)

On — (*Registered, but did not testify*: Lynn Bizzell and Mike Wisby, Texas A&M Engineering Extension Service; Nancy Clark, Texas Department of Insurance; Chris Cornell, Reece Albert Inc.; Don Wilson, Texas Commission on Fire Protection)

**BACKGROUND:** The Texas Commission on Fire Protection (TCFP) was established in 1969 as the Commission on Fire Protection and Personnel Standards. It establishes equipment standards for the paid fire service, certifies fire service personnel and training providers, develops training materials, inspects fire departments, and investigates complaints. The commission has a voluntary certification program for volunteer firefighters and departments. The commission also administers the Fire Department Emergency Program, which provides grants to paid and volunteer fire departments to purchase firefighting equipment and protective clothing. Program applicants must participate in the Texas Fire Incident Reporting System and the National Incident Management System, and must be participating in a certification program at the time of application. The TCFP is governed by 13 commissioners appointed by the governor and has 31 full-time employees.

**DIGEST:** HB 3660 would require the Texas Commission on Fire Protection to conduct a study to determine to which state agency the commission should be administratively attached.

The study would focus on:

1. reducing the commission's costs;
2. improving services; and
3. lowering fees set and collected.

The commission could request help from a state agency for the study, which would be due September 1, 2014. The commission would be required to provide the study's results to the Legislature, governor, and the Legislative Budget Board. Provisions of the CSHB 3660 would expire September 1, 2017.

This 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, 2013..

**SUPPORTERS SAY:** CSHB 3660 would require the Texas Commission on Fire Protection's study to use efficiency, service, and cost-cutting as criteria for deciding the best place for the commission. This would follow a recommendation from the Legislative Budget Board that projected savings from attaching the commission to a larger state agency.

Another agency would give the commission the proper administrative support it requires and would help it streamline and update many of its operations.

The study would prove valuable to the commission, which serves an important role, including setting fire safety standards, providing education, and certifying fire personnel.

OPPONENTS  
SAY:

HB 3660 is unnecessary because the Texas Commission on Fire Protection should remain autonomous. A 2009 Sunset Commission report recommended the commission continue and be given more authority over its policy decisions.

NOTES:

The author of HB 3660 intends to introduce a floor amendment that includes the provision that the commission's study could conclude that administrative attachment to another state agency would not further the goals of reducing the commission's costs, improving services, and lowering fees it sets and collects. In this case, the commission would be required to list at least five reasons for each of the three goals that administrative attachment was not a good idea, describe in detail the plan for meeting the goals, and include drafts of proposed legislation.