

BILL ANALYSIS

Senate Research Center

S.B. 1397
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Intergovernmental Relations
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As Filed

DIGEST

Currently, no Texas law provides for the purchase of fire-fighting and emergency medical services equipment and property by a municipality annexing an area. Some cities annexing municipalities may not purchase certain fire-fighting and emergency medical services (EMS) equipment and property. This bill requires an annexing city, at the request of the provider, to purchase fire-fighting and EMS equipment and real property.

PURPOSE

As proposed, S.B. 1397 requires an annexing city, at the request of the provider, to purchase fire-fighting and emergency medical services equipment and real property.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 43C, Local Government Code, by adding Section 43.058, as follows:

Sec. 43.058. PURCHASE OF FIRE-FIGHTING AND EMERGENCY MEDICAL SERVICES EQUIPMENT AND PROPERTY IN ANNEXED AREA. Requires a municipality that annexes an area to purchase fire-fighting and emergency medical services (EMS) equipment and real property that is owned by a fire protection or EMS provider and used or located in the annexed area. Provides that Subsection (a) applies only if the fire protection or EMS provider requests that the municipality purchase the equipment or real property. Requires the municipality and the fire protection or EMS provider to begin negotiations for the purchase of fire-fighting and emergency medical equipment by the 30th day after the date of a request under Subsection (b). Requires the parties to jointly select three independent appraisers to appraise each item of equipment. Requires real property to be appraised by a real estate appraiser who holds the designation of "Member, Appraisal Institute." Requires the purchase price of each item to be the average of the three appraisals. Provides that Chapter 252 does not apply to a purchase required by this section. Defines "fire protection or emergency medical services provider."

SECTION 2. Provides that Section 43.058, Local Government Code, applies only to a municipal annexation that is effective on or after December 1, 1996.

SECTION 3. Emergency clause.
Effective date: upon passage.