

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 371  
By: Armbrister  
State Affairs  
5-2-97  
Committee Report (Substituted)

### **DIGEST**

In 1991, the Texas Commission on Fire Protection (commission) was created by the 72nd Legislature in order to perform certain functions relating to local fire protection. The commission is subject to review by the Sunset Commission. As a result of the Sunset review of the commission, this bill provides for the recommended continuation of the commission and adds provisions regarding the functions of the commission.

### **PURPOSE**

As proposed, C.S.S.B. 371 adds provisions relating to the continuation and functions of the Texas Commission on Fire Protection.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Commission on Fire Protection in SECTION 1.06 (Section 419.0082, Government Code), SECTION 2.02 (Section 419.0225, Government Code) SECTION 2.04 (Sections 419.0341(g) and (h), Government Code), and SECTION 2.07 (Section 419.073(f) and (g), Government Code), and to the commissioner of insurance in SECTION 3.01 (Sections 417.004(a) and 417.005, Government Code), SECTION 3.05 (Section 417.008(e), Government Code), SECTION 3.07 (Section 419.0082(b), Government Code), SECTION 4.02 (Section 8A(a), Article 5.43-1, Insurance Code), SECTION 4.07 (Sections 6(a) and (b), Article 5.43-2, Insurance Code), SECTION 4.08 (Section 6A(a), Article 5.43-1, Insurance Code), SECTION 4.11 (Section 5, Article 5.43-4, Insurance Code) and SECTION 4.13 (Sections 16A(a) and 18(a), Article 5.43-4, Insurance Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

#### **ARTICLE 1. OPERATIONS OF THE COMMISSION**

SECTION 1.01. Amends Section 419.003, Government Code, to require this chapter regarding the abolishment of the Texas Commission on Fire Protection (commission) to expire September 1, 2009, rather than September 1, 1997.

SECTION 1.02. Amends Section 419.004, Government Code, to require the commission to be composed of 12 members, with 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, rather than battalion, chief and who meet certain requirements. Requires one member to be the head of a fire department. Deletes a provision requiring one member to be employed by a political subdivision with a population of 50,000 to 200,000 and one to be employed by a political subdivision with a population of more than 200,000.

Requires two members to be selected from a list of five names submitted by the Texas State Association of Fire Fighters. Deletes a requirement that one member be actively involved in educating the public. Requires one member to be a certified arson investigator or certified fire protection inspector. Requires the commission to be composed of three public members. Provides that a person is not eligible to be appointed to the commission if the member or the member's spouse meet certain qualifications. Prohibits a person from serving on the commission if the person's spouse is a member of a paid or volunteer fire department.

SECTION 1.03. Amends Section 419.005(c), Government Code, by adding standard language as updated by the Sunset Commission, regarding the removal of a presiding officer.

SECTION 1.04. Amends Chapter 419A, Government Code, by adding Section 419.0071, to add standard language as updated by the Sunset Commission, regarding commission member training.

SECTION 1.05. Amends Section 419.008, Government Code, by deleting certain general powers and duties requiring the commission to provide for the appointment and supervision of the state fire marshall. Deletes a provision authorizing the commission to make or encourage studies of fire protection and to conduct certain research. Deletes provisions authorizing the commission to assist certain entities with regard to matters involving fire protection. Deletes a provision authorizing the commission to use pertinent and timely facts relating to educational development programs.

SECTION 1.06. Amends Chapter 419A, Government Code, by adding Section 419.0082, as follows:

Sec. 419.0082. RULEMAKING. Sets forth provisions regarding the authority of the commission in adopting rules under Section 419.008(a) or any other law. Prohibits this section from applying to an emergency rule adopted under Section 2001.034.

SECTION 1.07. Amends Sections 419.009(d)-(g), Government Code, by adding standard language as updated by the Sunset Commission, regarding the development of an intraagency career ladder program, the development of an annual performance evaluation, and certain policies.

SECTION 1.08. Amends Chapter 419A, Government Code, by adding Section 419.0091, as follows:

Sec. 419.0091. GENERAL COUNSEL. Authorizes the commission to employ not more than one attorney. Requires the attorney to serve as general counsel of the commission.

SECTION 1.09. Amends Sections 419.010 and 419.011, Government Code, by adding standard language as updated by the Sunset Commission, regarding the fiscal reports and public interest information and complaints.

SECTION 1.10. Amends Section 419.053, Government Code, to provide that rules adopted under Subsection (a)(3) must include rules establishing criteria to be used in the evaluation of applications for grants and loans with the assistance of staff.

SECTION 1.11. Amends Sections 419.054(a), (c), and (d), Government Code, to provide that a funds allocation advisory committee (funds committee) member serves for a term of one year, but is subject to removal by the commission, rather than at the will of the authority that appointed the member. Requires funds committee member vacancy removals to be filled by the authority that appointed the member who was removed. Deletes a provision requiring the commission to submit all proposed changes and additions to the rules that relate to the program to the funds committee. Requires a complete listing of applicants to be provided to the commission with full disclosure of the reasons for approval or disapproval.

SECTION 1.12. Amends Section 419.063, Government Code, as follows:

Sec. 419.063. New heading: LIMITATION ON SCHOLARSHIPS, GRANTS, LOANS, AND OTHER FINANCIAL ASSISTANCE; USE OF APPROPRIATED FUNDS. Prohibits the commission from using certain funds for administrative expenses.

SECTION 1.13. Amends Sections 419.902 and 419.903, Government Code, to delete the requirement for the commission and the director to review and update the memorandum of understanding by the last month of each state fiscal year. Makes conforming changes.

SECTION 1.14. Provides that the terms of the members of the funds committee serving on the effective date of this Act under Section 419.054, Government Code, expire September 1, 1998.

SECTION 1.15. Sets forth provisions regarding the appointment of members to the commission by

the governor.

SECTION 2.01. Amends Section 419.021, Government Code, to update standard language as added by the Sunset Commission, regarding definitions.

SECTION 2.02. Amends Chapter 419B, Government Code, by adding Section 419.0225, to add standard language as updated by the Sunset Commission, regarding certain prohibited rules and a disciplinary hearing.

SECTION 2.03. Amends Section 419.023, Government Code, as follows:

Sec. 419.023. New heading: FIRE FIGHTER ADVISORY COMMITTEE. Requires the fire fighter advisory committee to establish a fire fighter, rather than a fire protection personnel, advisory committee. Requires the fire fighter committee to assist in matters relating to certain entities, including volunteer fire fighters, and volunteer fire departments. Requires six members of the committee to be fire protection personnel. Requires three members to be volunteer fire fighters. Requires at least one member of the fire fighter committee to be a volunteer fire fighter or volunteer fire chief. Requires the fire fighter committee to periodically review certain matters, including other fire fighters and firefighting organizations that are subject to regulation under this subchapter. Deletes a provision requiring the commission to submit all proposed changes and additions to the rules that relate to fire protection personnel and fire departments.

SECTION 2.04. Amends Chapter 419B, Government Code, by adding Section 419.0341, to add standard language as updated by the Sunset Commission, regarding an individual certificate holder and certificate renewal.

SECTION 2.05. Amends Chapter 419B, Government Code, by adding Section 419.0365, as follows:

Sec. 419.0365. DISCIPLINARY HEARING. Sets forth provisions regarding disciplinary hearings and rules regarding such hearings.

SECTION 2.06. Amends Chapter 419B, Government Code, by adding Section 419.043, as follows:

Sec. 419.043. REQUIRED TRAINING IN CERTAIN MUNICIPALITIES. Sets forth provisions regarding training for municipalities with populations of at least 1,000,000.

SECTION 2.07. Amends Chapter 419D, Government Code, as follows:

#### SUBCHAPTER D. VOLUNTEER FIRE FIGHTERS AND FIRE DEPARTMENTS

Sec. 419.071. VOLUNTARY CERTIFICATION PROGRAM FOR VOLUNTEER FIRE FIGHTERS AND FIRE DEPARTMENTS. Requires the program to include the same components and requirements as the certification program established under Subchapter B. Provides that the certification program for volunteer fire fighters and volunteer fire departments may take into account the different circumstances of volunteer fire fighters in establishing deadlines for completion of various components or requirements of the program. Provides that a certificate for a given type and level of certification that is issued under the certification program established under this section is equivalent to a certificate for the same type and level issued under Subchapter B. Provides that the certificate is subject to the same issuance and renewal requirements as a certificate issued under Subchapter B, and provides that a certificate holder may be disciplined and regulated in the same manner as provided by Subchapter B. Deletes provisions regarding components of the program developed by the commission. Deletes provisions requiring the commission to contract with statewide organizations that include certain members. Authorizes a volunteer fire department with which a member is affiliated to pay the certificate fee for a volunteer fire fighter certified under this subchapter. Provides that the volunteer fire department is not required to pay the certificate fee. Requires the commission to send written notice of the impending certificate expiration to the last known address of the fire fighter according to the records of the

commission, at least 30 days before the expiration of a volunteer fire fighter's certificate. Deletes existing Subsections (d)-(f). Deletes existing Sections 419.072-419.075.

Sec. 419.072. New heading: **OBTAINING PAID EMPLOYMENT AS FIRE FIGHTER.** Authorizes a fire department to appoint as fire protection personnel a volunteer fire fighter or former volunteer fire fighter who is certified by the commission under this subchapter, notwithstanding anything to the contrary in Subchapter B. Provides that a person is considered to be certified fire protection personnel on receiving the appointment from the fire department. Deletes text regarding the certification of a volunteer fire fighter. Defines "fire department."

Sec. 419.073. **INDIVIDUAL CERTIFICATE HOLDER; CERTIFICATE RENEWAL.** Adds standard language as updated by the Sunset Commission, regarding an individual certificate holder and certificate renewal.

**SECTION 2.08.** Amends Chapter 411F, Government Code, by adding Section 411.1236, as follows:

Sec. 411.1236. **ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: TEXAS COMMISSION ON FIRE PROTECTION.** Provides that this section applies to circumstances in which the commission, including a state agency or local government, performs certain duties. Requires the commission to obtain criminal history record information from the person who has obtained the required information as described by Subsection (a)(2) in a circumstance described by Subsection (a). Requires the person to provide the information to the commission, on request from the commission under this section. Authorizes the commission to disclose to certain persons the fact that issuance or renewal of a license, permit, certificate, or similar authorization was denied because of certain criminal history record, notwithstanding any other law or rule. Prohibits the commission from disclosing the content of the criminal history record information under Subsection (c)(2).

**SECTION 2.09.** Amends Chapter 419B, Government Code, as follows:

**SUBCHAPTER B.** New heading: **REGULATING AND ASSISTING FIRE FIGHTERS AND FIRE DEPARTMENTS**

**SECTION 2.10.** Abolishes the Fire Protection Personnel Advisory Committee. Makes application of this Act prospective.

**SECTION 2.11.** Abolishes the volunteer fire fighter advisory committee.

**SECTION 2.12.** Makes application of this Act prospective.

**SECTION 3.01.** Amends Sections 417.001, 417.002, 417.003, 417.004, 417.005, and 417.0051, Government Code, to add standard language as updated by the Sunset Commission, regarding definitions, appointment and tenure, status as state-commissioned officer, general powers and duties, adoption of rules, and fire prevention and safety education.

**SECTION 3.02.** Amends Chapter 417, Government Code, by adding Section 417.0052, as follows:

Sec. 417.0052. **TEXAS FIRE INCIDENT REPORTING SYSTEM.** Provides that the state fire marshal, under the direction of the commissioner, is responsible for maintaining and administering the Texas Fire Incident Reporting System.

**SECTION 3.03.** Amends Section 417.006, Government Code, as follows:

Sec. 417.006. **FIRE AND ARSON INVESTIGATORS.** Authorizes the state fire marshall to perform certain duties assigned to the commissioner of insurance and the state fire marshall, rather than the commission. Requires the commissioner to investigate a fire, if the commissioner, rather than the commission, directs the investigation. Makes conforming changes.

SECTION 3.04. Amends Sections 417.007(a) and (c), Government Code, to make conforming changes.

SECTION 3.05. Amends Section 417.008(e), Government Code, to make a conforming change.

SECTION 3.06. Amends Section 417.0081, Government Code, as follows:

Sec. 417.0081. INSPECTION OF CERTAIN STATE-OWNED BUILDINGS. Deletes a provision requiring the commission to take any action authorized by the commission to protect buildings. Makes a conforming change.

SECTION 3.07. Amends Section 419.0081, Government Code, by transferring it to Chapter 417, Government Code, and renumbering it as Section 417.0082, as follows:

Sec. 417.0082. PROTECTION OF CERTAIN STATE-OWNED BUILDINGS AGAINST FIRE HAZARDS. Makes conforming changes.

SECTION 3.08. Amends Section 419.901, Government Code, by transferring it to Chapter 417, Government Code, and renumbering it as Section 417.0083, as follows:

Sec. 417.0083. New heading: FIRE SUPPRESSION RATINGS. Requires the state fire marshal to perform duties as directed by the commissioner relating to the department's fire suppression ratings schedule. Authorizes the state fire marshal to provide technical assistance to paid fire departments, volunteer fire departments, and local governments responding to the use of the fire suppression ratings schedule. Deletes existing text regarding the key rate schedule.

SECTION 3.09. Amends Section 417.009(b), Government Code, to make a conforming change.

SECTION 3.10. Amends Section 417.010, Government Code, to make a conforming change.

SECTION 3.11. Repealer: Section 417.0041, Government Code (Participation of Certain Advisory Councils in Rule Making).

SECTION 4.01. Amends Section 7(b), Article 5.43-1, Insurance Code, to authorize the commissioner, through the State Fire Marshall, to suspend, revoke or refuse to issue or renew a license, apprentice, permit, hydrostatic testing certificate, certificate of registration, or approval of a testing laboratory in accordance with Section 13 of this article. Deletes provisions setting forth the authorization of the State Board of Insurance (board).

SECTION 4.02. Amends Article 5.43-1, Insurance Code, by adding Sections 8A and 13, to add standard language as updated by the Sunset Commission, regarding certain prohibited rules, and disciplinary hearings.

SECTION 4.03. Amends Section 9, Article 5.43-1, Insurance Code, as follows:

Art. 9. New heading: FIRE EXTINGUISHER ADVISORY COUNCIL. Authorizes the commissioner, rather than the board, to delegate certain authority to members appointed by the commissioner, rather than the board. Requires the fire extinguisher advisory council (council) to periodically review rules implementing this article and recommend changes in the rules to the commissioner, rather than rules adopted in accordance with Section 417.0041, Government Code. Requires members of the council to be experienced in certain areas.

SECTION 4.04. Amends Article 5.43-1, Insurance Code, by adding Section 13, as follows:

Sec. 13. DISCIPLINARY HEARING. Sets forth provisions regarding disciplinary hearings of the State Fire Marshall.

SECTION 4.05. Amends Section 1, Article 5.43-2, Insurance Code, to make conforming changes.

SECTION 4.06. Amends Sections 5(a) and (b), Article 5.43-2, Insurance Code, to set forth regulations regarding persons or organizations engaged in the business of planning, certifying, leasing, selling, servicing, installing, monitoring, or maintaining exclusively single station devices. Makes conforming changes.

SECTION 4.07. Amends Section 6, Article 5.43-2, Insurance Code, as follows:

Sec. 6. New heading: **POWERS AND DUTIES OF THE COMMISSIONER**. Sets forth provisions regarding the powers and duties of the commissioner. Deletes existing text regarding the powers and duties of the State Board of Insurance.

SECTION 4.08. Amends Article 5.43-2, Insurance Code, by adding Sections 6A and 10A, as follows:

Sec. 6A. **CERTAIN RULES PROHIBITED**. Sets forth provisions prohibiting certain rules.

Sec. 10A. **DISCIPLINARY HEARING**. Sets forth provisions regarding disciplinary hearings.

SECTION 4.09. Amends Section 6, Article 5.43-3, Insurance Code, to make conforming changes.

SECTION 4.10 Amends Article 5.43-3, Insurance Code, by adding Section 7A and 9A, to add standard language as updated by the Sunset Commission, regarding certain prohibited rules and disciplinary hearings.

SECTION 4.11. Amends Section 5, Article 5.43-4, Insurance Code, to make conforming changes.

SECTION 4.12. Amends Section 5B, Article 5.43-4, Insurance Code, to set forth provisions regarding the periodic review of rules. Makes conforming changes.

SECTION 4.13. Amends Article 5.43-4, Insurance Code, by amending Section 18 and adding Sections 16A and 18A, as follows:

Sec. 16A. **CERTAIN RULES PROHIBITED**. Adds standard language as updated by the Sunset Commission, regarding certain prohibited rules.

Sec. 18. New heading: **ISSUANCE, SUSPENSION, REVOCATION, AND RENEWAL OF LICENSES AND PERMITS**. Requires the commissioner, rather than the board, to adopt rules for applications and set qualifications for licenses and permits. Authorizes the commissioner through the state fire marshal, to suspend, revoke, or refuse to issue or renew a license or permit, rather than to conduct hearings or proceedings concerning the suspension, revocation, or refusal to issue or renew a license or permit. Authorizes renewal of a license to be refused if it is determined, after notice and a public hearing conducted under Section 18A of this article, that any provision of this article, or any rule promulgated under this article, has been violated. Makes conforming changes.

Sec. 18A. **DISCIPLINARY HEARING**. Adds standard language as updated by the Sunset Commission, regarding a disciplinary hearing.

SECTION 4.14. Repealers: Section 2A, Article 5.43-1, Insurance Code (Transfer of powers and duties); Section 2(3), Article 5.43-2, Insurance Code (definition of "advisory council"); Section 4A, Article 5.43-2, Insurance Code (Transfer of powers and duties); Section 1(4), Article 5.43-3, Insurance Code (definition of "advisory council"); Section 3A, Article 5.43-3, Insurance Code (Transfer of powers and duties); and Section 5A, Article 5.43-4, Insurance Code (Transfer of powers and duties).

SECTION 4.15. Makes application of this Act prospective.

#### ARTICLE 5. DIVISION OF EMERGENCY MANAGEMENT

SECTION 5.01. Amends Chapter 418E, Government Code, by adding Section 418.110, as follows:

Sec. 418.110. STATEWIDE MUTUAL AID PROGRAM FOR FIRE EMERGENCIES.  
Sets forth a provision authorizing the development of a statewide mutual aid program.

SECTION 6.01. Sets forth provisions providing that certain duties are transferred to the Texas Department of Insurance from the Texas Commission on Fire Protection. Provides that the state fire marshal serving on the effective date of this Act continues to serve unless replaced by the commissioner of insurance. Requires the Texas Commission on Fire Protection and the commissioner of insurance to adopt a memorandum of understanding to accomplish an orderly transfer.

SECTION 6.02. Provides that persons employed as attorneys for the Texas Commission on Fire Protection and funds unspent are to be transferred to the office of the attorney general. Requires the Texas Commission on Fire Protection and the attorney general to adopt a memorandum of understanding to accomplish an orderly transfer in accordance with this section.

SECTION 7.01. Effective date: September 1, 1997.

SECTION 7.02. Emergency clause.

#### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.02.

Sets forth new provisions regarding the composition of the commission.

SECTION 1.05.

Deletes proposed SECTION 1.05. Amends Section 419.008, Government Code, to set forth new provisions regarding general powers and duties.

SECTION 1.06.

Deletes proposed SECTION 1.06. Amends Section 419.0082, to establish rulemaking authority for the commission. Requires the firefighter advisory committee and, when appropriate, the funds allocation advisory committee, to provide input for rules.

SECTION 1.07.

Redesignated from SECTION 1.05.

SECTION 1.08.

Deletes proposed SECTION 1.08. Amends Chapter 419A, Government Code, by adding Section 419.0091, to set forth a provision regarding the general counsel of the commission.

SECTION 1.09.

Redesignated from SECTION 1.06.

SECTION 1.10.

Adds new SECTION 1.10. Amends Section 419.053, Government Code, to set forth provisions regarding the general powers and duties of the commission under this subchapter.

SECTION 1.11.

Redesignated from SECTION 3.02. Amends Section 419.054(d), Government Code, to require a complete listing of applicants to be provided to the commission with full disclosure of the reasons for approval or disapproval.

SECTION 1.12.

Amends Section 419.063, Government Code, to establish a new heading and a provision authorizing the use of appropriated funds.

SECTION 1.13.

Amends Sections 419.902 and 419.903, Government Code, to delete provisions requiring the director to review and update the memorandum of understanding.

SECTION 1.14.

Provides that the terms of the members of the funds allocation advisory committee serving on the effective date of this Act, expire September 1, 1998.

SECTION 1.15.

Sets forth provisional terms of the commission.

SECTION 2.01.

Deletes proposed SECTION 2.01. Amends Section 419.021, Government Code, to add standard Sunset language.

SECTION 2.02.

Redesignated from SECTION 4.03. Deletes a provision regarding disciplinary hearings.

SECTION 2.03.

Redesignated from SECTION 3.01. Deletes proposed text regarding volunteer firefighters and the Fire Fighter Advisory Committee. Requires one member of the committee to be a volunteer fire fighter or volunteer fire chief. Makes conforming and nonsubstantive changes.

SECTION 2.04.

Redesignated from SECTION 4.01. Sets forth the requirement for the commission to establish by rule the requirements evidence must meet. Authorizes the commission to establish rules for procedures to recertify a person, if the person meets certain conditions.

SECTION 2.05.

Amends Chapter 419, Government Code, by adding Section 419.0365, regarding disciplinary hearings.

SECTION 2.06.

Amends Chapter 419, Government Code, by adding Section 419.043, regarding required training in certain municipalities.

SECTION 2.07.



Redesignated from SECTION 4.02. Authorizes the commission to establish a procedure to recertify a person. Makes conforming changes.

SECTION 2.08.

Redesignated from SECTION 4.04. Makes conforming changes disallowing the state fire marshall from taking certain actions.

SECTION 2.09.

Amends Chapter 419B, Government Code, by adding a new subchapter heading.

SECTION 2.10.

Sets forth a provision to abolish the Fire Protection Personnel Advisory Committee.

SECTION 2.11.

Redesignated from SECTION 4.10.

SECTION 2.12.

Makes application of this Act prospective.

SECTION 3.01.

Deletes proposed SECTION 3.01. Amends Sections 417.001, 417.002, 417.003, 417.004, 417.005, and 417.0051, to add standard language as updated by the Sunset Commission, regarding certain matters including definitions, appointment and tenure, status as state-commissioned officer, general powers and duties, adoption of rules, and fire prevention and safety education.

SECTION 3.02.

Deletes proposed SECTION 3.02. Amends Chapter 417, Government Code, by adding Section 417.0052, regarding the Texas fire incident reporting system.

SECTION 3.03.

Deletes proposed SECTION 3.03. Amends Section 417.006, Government Code, to make conforming changes.

SECTION 3.04.

Deletes proposed SECTION 3.04. Amends Section 417.007, Government Code, to make conforming changes.

SECTION 3.05.

Deletes proposed SECTION 3.05. Amends Section 417.008(e), Government Code, to make conforming changes.

SECTION 3.06.

Deletes proposed SECTION 3.06. Amends Section 417.0081, Government Code, to delete a provision requiring the state fire marshall to take any action authorized by the commission to protect the buildings. Makes a conforming change.

SECTION 3.07.

Deletes proposed SECTION 3.07. Transfers Section 419.0081, Government Code, to Chapter 417, Government Code, and renumbers the existing section as Section 417.0082. Makes conforming changes.

#### SECTION 3.08.

Deletes proposed SECTION 3.08. Transfers Section 419.901, Government Code, to Chapter 417, Government Code, and renumbers the existing section as Section 417.0083. Sets forth a new heading, regarding the fire suppression ratings schedule. Makes conforming changes.

#### SECTION 3.09.

Deletes proposed SECTION 3.09. Amends Section 417.009(b), Government Code, to make a conforming change.

#### SECTION 3.10.

Deletes proposed SECTION 3.10. Amends Section 417.010, to make conforming changes.

#### SECTION 3.11.

Repeals Section 417.0041, Government Code.

#### SECTION 4.01.

Deletes proposed SECTION 4.01. Amends Section 7(b), Article 5.43-1, Insurance Code, to authorize the commissioner, rather than the state board, to perform certain functions.

#### SECTION 4.02.

Redesignated from SECTION 4.06. Makes a conforming change.

#### SECTION 4.03.

Redesignated from SECTION 3.03. Makes conforming changes.

#### SECTION 4.04.

Deletes proposed SECTION 4.04. Amends Article 5.43-1, Insurance Code, by adding Section 13, to set forth a provision regarding a disciplinary hearing.

#### SECTION 4.05.

Amends Section 1, Article 5.43-2, Insurance Code, to amend the purpose statement.

#### SECTION 4.06.

Amends Section 5, Article 5.43-2, Insurance Code, to set forth regulations regarding persons or organizations engaged in businesses relating to single station devices.

#### SECTION 4.07.

Deletes proposed SECTION 4.07. Amends Section 6, Article 5.43-2, Insurance Code, to set forth provisions regarding the purpose of this article and the powers and duties of the commissioner and advisory council. Sets forth a new heading.

#### SECTION 4.08.

Deletes proposed SECTION 4.08. Amends Article 5.43-2, Insurance Code, by adding

Sections 6A and 10A, regarding certain rules prohibited and a disciplinary hearing.

SECTION 4.09.

Deletes proposed SECTION 4.09. Amends Section 6, Article 5.43-3, Insurance Code, to make conforming changes.

SECTION 4.10.

Amends Article 5.43-3, Insurance Code, to prohibit the commissioner, rather than the commission, from making certain rules. Makes conforming changes.

SECTION 4.11.

Deletes proposed SECTION 4.10. Amends Section 5, Article 5.43-4, Insurance Code, to make conforming changes.

SECTION 4.12.

Amends Section 5B, Article 5.43-4, Insurance Code, to require the council to periodically review certain rules. Makes conforming changes.

SECTION 4.13.

Redesignated from SECTION 4.09. Makes conforming changes.

SECTION 4.14.

Sets forth repealers.

SECTION 4.15.

Redesignated from SECTION 4.11. Makes conforming changes.

SECTION 5.01.

Deletes proposed SECTION 5.01. Amends Chapter 418E, Government Code, by adding Section 418.110, regarding statewide mutual aid program for fire emergencies.

SECTIONS 6.01 and 6.02.

Sets forth provisions regarding the transfer of functions and duties.

SECTION 7.01

Redesignates the effective date from SECTION 5.01.

SECTION 7.02.

Redesignates the emergency clause from SECTION 5.02.