

BILL ANALYSIS

Senate Research Center

C.S.S.B. 295
By: Jackson
Economic Development
2/24/1999
Committee Report (Substituted)

DIGEST

Currently, a fire extinguisher without a label of approval cannot be leased, sold, rented, serviced, or installed. Once used, a portable fire extinguisher will often have the label of approval missing or defaced. A missing label often results in the fire extinguisher being discarded. C.S.S.B. 295 will allow service to a portable fire extinguisher without a label of approval.

PURPOSE

As proposed, C.S.S.B. 295 authorizes a person to service certain portable fire extinguishers.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of insurance in SECTION 1 (Section 5(e), Article 5.43-1, Insurance Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5, Article 5.43-1, Insurance Code, by amending Subsection (a) and adding Subsection (e), to prohibit a person from servicing a fire extinguisher without a label of approval issued by the Texas Department of Insurance, except as provided by Subsection (e). Requires the commissioner of insurance to permit, by rule, a person to service a portable fire extinguisher regardless of whether it carries a label described by Subsection (a). Makes a conforming change.

SECTION 2. Amends Section 10, Article 5.43-1, Insurance Code, to make conforming changes.

SECTION 3. Requires the commissioner of insurance to adopt rules under Subsection (e), Section 5, Article 5.43-1, Insurance Code, no later than January 1, 2000.

SECTION 4. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 5, Article 5.43-1, Insurance Code, by prohibiting fire extinguishers to be serviced without being approved by the Texas Department of Insurance, rather than the State Board of Insurance. Requires the commissioner of insurance, rather than the Texas Commission on Fire Protection, to create rules to permit a person to service a portable fire extinguisher.

SECTION 3.

Requires the commissioner of insurance, rather than the Texas Commission on Fire Protection, to create the rules in Section 5, Article 5.43-1, Insurance Code, no later than January 1, 2000.