

## **BILL ANALYSIS**

Senate Research Center

S.B. 327  
By: Jackson  
Business & Commerce  
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### **DIGEST AND PURPOSE**

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. S.B. 327 authorizes a person to service certain portable fire extinguishers.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 5, Article 5.43-1, Insurance Code, to provide an exception to the prohibition of the sale, lease, rental, servicing, or installation of a fire extinguisher unit, system or equipment without a label of approval or listing of a testing laboratory approved by the Texas Department of Insurance, rather than the State Board of Insurance. Requires the commissioner of insurance (commissioner) to permit a person, by rule, to service a portable fire extinguisher regardless of whether it carries a certain label.

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

SECTION 3. Requires the commissioner of insurance to adopt rules under Section 5(e), Article 5.43-1, Insurance Code, as added by this Act, not later than January 1, 2002.