



Texas Legislative Alert

Proposed Bill HB1511 Will Limit Local Authority to Adopt Codes

March 30, 2009: House Bill 1511 will prohibit jurisdictions from enforcing ANY law that would mandate fire sprinklers in new one- and two-family dwellings that are less than 7,500 square feet in area. Texas home builders have leveraged connections in the legislature to initiate and push this unprecedented assault on home rule.

If HB 1511 becomes law, cities, counties and emergency service districts will lose authority to determine the best approach to providing fire safety based on local conditions. Although this bill specifically targets residential fire sprinklers, it sets a precedent for the legislature to enact virtually any targeted code amendment to satisfy a special interest group. Imagine home builders' future attacks on fire hydrants, fire department access roads and other perceived "impediments" to unregulated development, any of which might be next.

HB 1511 has momentum. Against opposition by the Texas Fire Chiefs Association, the Texas Fire Marshals' Association, the Texas Firemen's and Fire Marshal's Association; the Building Officials Association of Texas, the Texas Municipal League and others, the House Committee on Insurance voted 9-0 to pass the bill. Next stop is the House Calendars Committee, which has authority to schedule it for consideration by the full House of Representatives.

YOUR HELP IS URGENTLY NEEDED TO STOP THIS BILL

IF YOU WANT TO DISCOURAGE THE LEGISLATURE FROM LIMITING THE AUTHORITY OF LOCAL JURISDICTIONS TO ADOPT BUILDING AND FIRE CODES, PLEASE FAX A BRIEF LETTER TO MEMBERS OF THE HOUSE CALENDARS COMMITTEE **IMMEDIATELY**, STATING YOUR OPPOSITION TO HB 1511's ASSAULT ON HOME RULE. EVEN BETTER, IF YOU KNOW OR ARE A CONSTITUENT OF A COMMITTEE MEMBER, MAKE A PERSONAL CALL OR VISIT THEIR OFFICE AS WELL (contact info. on next page).

Why oppose HB 1511:

- *Supporters of HB 1511 would rescind the Texas tradition of "Home Rule" whereby local officials and citizens, those most intimately familiar with their specific need, are allowed to determine the best fire and building code requirements to address their unique circumstance.*
- *The fire service, building officials and municipalities oppose HB1511 because it would remove local control and self-determination.*
- *HB1511 is intrusive and an overreach. Rejecting HB1511 will maintain the current practice of Texas localities making their own decisions, as they have for decades.*
- *Under the current system, localities adopt only what they determine to be the best policy, rule or law for the protection of their community.*
- *HB 1511 prohibits localities from protecting citizens and properties from the menace of fire with the most effective technology known to reduce loss of life and property to fire, residential sprinklers.*

This alert is jointly issued by the following organizations:

Texas Fire Chiefs Association, the Texas Municipal League, the Texas Fire Marshals' Association, the Texas State Firemen's and Fire Marshals' Association, and the Building Officials Association of Texas.

For further information: Contact Jeff Shapiro, Lake Travis Fire & Rescue, jshapiro@lfr.org (512) 795-2900

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HB 1511 sponsor: Rep. John Otto (R-Montgomery/Liberty/Polk Counties)

Co-sponsors: Rep. David Farabee (D-Wichita/Archer Counties) and Rep. Jim Jackson (R-Dallas)

Complete bill text: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=81R&Bill=HB1511>