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TEXAS FIRE MARSHALS' ASSOCIATION

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Chapter 9

March 7, 2017

House Committee on County Affairs
Attn: Representative Garnett Coleman – Committee Chair
Room: EXT E2.130

Dear Representative Coleman,

The Texas Fire Marshals' Association wishes to make the following statement regarding HB 1654, authored by Representative Tom Oliverson concerning an important amendment to Section 352.022, Local Government Code.

The Texas Fire Marshals' Association represents over 340 plus fire marshals, fire investigators and fire inspectors from across the State of Texas, many that are the boots on the ground enforcing fire code in County Jurisdictions. The Texas Fire Marshals' Association fully supports the proposed amendments to Local Government Code, Section 352.022 because they provide peace officer and non-peace officer code enforcers, equal ability to issue Class C misdemeanor citations for those code and permit violations that warrant a lesser class of penalty than Class B Misdemeanor, a class whose minimum enforcement option is arrest.

These amendments allow for the magnitude of the punishment to better fit the magnitude of the violation and ultimately will make our communities safer. In the absence of these amendments the current trend will continue; that is, many of these violations will continue to go unaddressed because the inspector who is not a peace officer has no authority to cite for violations, or the inspector who is a peace officer has a minimum enforcement method of Class B Misdemeanor arrest for non-compliance that they see as unwarranted when weighed against the gravity of the violation.

The effort to address this issue legislatively does not go unnoticed by our members. We are not only highly in favor of the passing of this bill; we appreciate Representative Oliverson's recognition of the need for such legislation.

Respectfully Submitted,

LAURIE L. CHRISTENSEN
President
Texas Fire Marshal's Association