

CHAPTER 526

H.B. No. 241

An Act relating to the boundaries of certain rural fire prevention districts and the assessment of taxes by rural fire prevention districts.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 57, Acts of the 55th Legislature, Regular Session, 1957 (Article 2351a-6, Vernon's Texas Civil Statutes), is amended by adding Section 9A to read as follows:

Sec. 9A. (a) If the territory within the boundaries of two or more rural fire prevention districts overlaps, the Commissioners Court of the county in which the most recently created district is located by order shall exclude from that district the territory that overlaps with the other district.

(b) For purposes of this section, a district is created on the date of the election approving its creation. If the elections approving the creation of two or more districts are held on the same date, the most recently created district is the district for which the hearing required by Section 5 of this Act was most recently held.

(c) The fact that a district is created with boundaries that overlap with boundaries of any other district does not affect the validity of either district created under this Act.

(d) Provided that with respect to any business entity operating and providing its own fire protection within a district created by this Act which (1) receives the appropriate certification from the Texas Industrial Fire Training Board of the State of Texas, and (2) owns or operates fire-fighting equipment and apparatus equivalent to a Class I's Rural Fire Prevention District, Metropolitan County Fire Protection System, or better, as defined by the State Board of Insurance, on the effective date hereof, that entity shall not be subject to (1) the ad valorem tax authorized by Section 12 of this Act for the real or personal property of such entity within said district, and (2) any of the other powers of the district set forth in this Act.

SECTION 2. The change in law made by this Act applies to all rural fire prevention districts regardless of when created.

SECTION 3. This Act takes effect September 1, 1985.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 14, 1985, by a non-record vote; House concurred in Senate amendments to H.B. No. 241 on May 25, 1985, by a non-record vote; passed by the Senate, with amendments, on May 21, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 12, 1985

Effective: September 1, 1985