

1-1 By: Sparks, Hagenbuch S.B. No. 34
1-2 (In the Senate - Filed March 14, 2025; March 17, 2025, read
1-3 first time and referred to Committee on Water, Agriculture and
1-4 Rural Affairs; April 9, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 9, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Perry	X		
1-10	Hancock	X		
1-11	Birdwell	X		
1-12	Blanco	X		
1-13	Gutierrez	X		
1-14	Hinojosa of Nueces	X		
1-15	Johnson	X		
1-16	Kolkhorst	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 34 By: Sparks

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the preparation for and the prevention, management, and
1-22 potential effects of wildfires and to emergency communications in
1-23 this state; authorizing an increase in the assessment on certain
1-24 insurers that fund the volunteer fire department assistance fund.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. (a) In this section:

1-27 (1) "Fuel loading" means the amount of combustible
1-28 material in a defined space expressed quantitatively in terms of
1-29 weight of fuel per unit area.

1-30 (2) "Service" means the Texas A&M Forest Service.

1-31 (3) "University" means West Texas A&M University.

1-32 (b) The service and university shall jointly conduct a study
1-33 to determine the status and condition of fuel loading in wildfire
1-34 risk zones in this state and the corresponding risk of wildfire to
1-35 the residents, homes, businesses, and ecology of this state.

1-36 (c) In conducting the study, the service and university
1-37 shall:

1-38 (1) establish wildfire risk zones based on fuel
1-39 loading and the risk of wildfire to the residents, homes,
1-40 businesses, and ecology of this state within geographic areas
1-41 defined by the service; and

1-42 (2) solicit and consider information from:

1-43 (A) the Department of Public Safety;

1-44 (B) the Department of Agriculture, including the
1-45 Prescribed Burning Board;

1-46 (C) the Texas Division of Emergency Management;

1-47 (D) the Parks and Wildlife Department;

1-48 (E) the Texas Commission on Environmental
1-49 Quality;

1-50 (F) the State Soil and Water Conservation Board;

1-51 (G) the comptroller of public accounts; and

1-52 (H) other natural resource representatives as
1-53 necessary.

1-54 (d) The study must:

1-55 (1) for each wildfire risk zone established under
1-56 Subsection (c)(1) of this section, consider:

1-57 (A) the risk that fuel loading poses;

1-58 (B) the projected loss of life, property, and
1-59 natural resources should a wildfire occur in the zone;

1-60 (C) the financial impact of costs associated

2-1 with:

2-2 (i) reconstruction in the zone after a

2-3 wildfire;

2-4 (ii) potential loss of production in the

2-5 natural resource and agricultural industries in the zone after a

2-6 wildfire; and

2-7 (iii) fuel loading mitigation and asset

2-8 hardening in the zone; and

2-9 (D) whether the money invested in fuel loading

2-10 mitigation in the zone exceeds or is less than the value of property

2-11 protected by the investment and the amount of the excess or

2-12 shortage;

2-13 (2) assess the overall economic benefits to this state

2-14 of:

2-15 (A) prescribed burning;

2-16 (B) fuel loading control for wildfire

2-17 prevention; and

2-18 (C) public investment in fuel loading reduction

2-19 projects; and

2-20 (3) recommend changes to existing law to ensure that

2-21 public and private natural resource managers have the authority and

2-22 ability to appropriately mitigate fuel loading risks in each

2-23 established risk zone.

2-24 (e) Not later than December 1, 2026, the service and

2-25 university shall submit to the governor, the lieutenant governor,

2-26 the speaker of the house of representatives, and each standing

2-27 committee of the legislature with primary jurisdiction over the

2-28 service or university or another state agency from which

2-29 information is solicited under this section a written report that

2-30 includes a summary of the study and any legislative recommendations

2-31 based on the study.

2-32 (f) This section expires May 1, 2027.

2-33 SECTION 2. Subchapter B, Chapter 88, Education Code, is

2-34 amended by adding Section 88.1255 to read as follows:

2-35 Sec. 88.1255. STATEWIDE DATABASE OF FIREFIGHTING

2-36 EQUIPMENT. (a) In this section, "fire department" means:

2-37 (1) a volunteer fire department; or

2-38 (2) a department of a municipality, county, or special

2-39 district or authority that provides firefighting services.

2-40 (b) The Texas A&M Forest Service shall create and maintain a

2-41 comprehensive database that shows in real time the statewide

2-42 inventory of firefighting equipment available for use in responding

2-43 to wildfires.

2-44 (c) The database must:

2-45 (1) include a description of the type of firefighting

2-46 equipment each fire department in this state has available for use

2-47 in responding to wildfires;

2-48 (2) include contact information for the fire

2-49 department with the equipment;

2-50 (3) be searchable by location and equipment type; and

2-51 (4) be accessible by all fire departments in this

2-52 state and allow each fire department to update the database

2-53 information regarding the fire department's available equipment.

2-54 (d) The Texas A&M Forest Service shall:

2-55 (1) establish and maintain an electronic system to at

2-56 least annually notify a fire department that provides the

2-57 department's firefighting equipment information to the database of

2-58 the requirement to update the information in the database; and

2-59 (2) assist a fire department that provides the

2-60 department's firefighting equipment information to the database in

2-61 updating the database annually or as soon as practicable after any

2-62 change in equipment availability.

2-63 SECTION 3. Section 614.102, Government Code, is amended by

2-64 adding Subsection (i) to read as follows:

2-65 (i) At least 10 percent of appropriations for a state fiscal

2-66 year from the fund for the purpose of providing assistance to

2-67 volunteer fire departments under the program is allocated for

2-68 volunteer fire departments located in areas of this state the

2-69 service determines are at high risk for large wildfires. If the

amount of assistance requested under this subsection in a state fiscal year is less than the amount allocated under this subsection, the remainder may be used for other types of assistance requests.

SECTION 4. Section 2007.002, Insurance Code, is amended to read as follows:

Sec. 2007.002. ASSESSMENT. The comptroller shall assess against all insurers to which this chapter applies amounts for each state fiscal year necessary, as determined by the commissioner, to collect a combined total equal to the lesser of:

(1) the total amount that the General Appropriations Act appropriates from the volunteer fire department assistance fund account in the general revenue fund for that state fiscal year, other than appropriations for contributions to the Texas Emergency Services Retirement System made under Section 614.104(d), Government Code; or

(2) \$40 million.

SECTION 5. Section 91.019, Natural Resources Code, is amended to read as follows:

Sec. 91.019. STANDARDS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF ELECTRICAL POWER LINES. (a) An operator shall construct, operate, and maintain an electrical power line serving a well site or other surface facility employed in operations incident to oil and gas development and production in accordance with the National Electrical Code published by the National Fire Protection Association and adopted by the Texas Commission of Licensing and Regulation under Chapter 1305, Occupations Code.

(b) If, during an inspection of a well site or surface facility employed in operations incident to oil and gas development and production, the commission discovers a condition involving an electrical power line that does not meet the standards described by Subsection (a), the commission shall notify the Public Utility Commission of Texas. To resolve the condition, the commission and the Public Utility Commission of Texas, in collaboration, shall:

(1) notify the applicable electric utility providing electric power to the well site or surface facility of the condition and require the electric utility to make a determination regarding whether electric power should be disconnected from the site or facility;

(2) request the state fire marshal or a local government authority inspect the well site or surface facility and require the operator to mitigate any dangerous conditions identified by the state fire marshal or local government authority; or

(3) issue notice to the applicable electric utility to investigate the condition and disconnect electric service, if necessary.

SECTION 6. Section 91.019, Natural Resources Code, as amended by this Act, applies to an inspection that occurs on or after the effective date of this Act.

SECTION 7. This Act takes effect September 1, 2025.

* * * * *