

By: Martinez

H.B. No. 1078

A BILL TO BE ENTITLED

AN ACT

relating to establishment of the disaster identification system for a declared state of disaster.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 418.004, Government Code, is amended by adding Subdivision (3-a) to read as follows:

(3-a) "Illuminated display" means a device capable of displaying a flashing light and a continuous light in either the color white or the colors blue, green, red, and yellow.

SECTION 2. Section 418.015(a), Government Code, is amended to read as follows:

(a) An executive order or proclamation declaring a state of disaster:

(1) activates the disaster recovery and rehabilitation aspects of the state emergency management plan applicable to the area subject to the declaration; ~~and~~

(2) authorizes the deployment and use of any forces to which the plan applies and the use or distribution of any supplies, equipment, and materials or facilities assembled, stockpiled, or arranged to be made available under this chapter or other law relating to disasters; and

(3) activates for the area subject to the declaration the disaster identification system described by Section 418.0151.

SECTION 3. Subchapter B, Chapter 418, Government Code, is

1 amended by adding Section 418.0151 to read as follows:

2 Sec. 418.0151. DISASTER IDENTIFICATION SYSTEM. (a) In an  
3 area subject to a state of disaster declaration, a person may elect  
4 to participate in the disaster identification system activated for  
5 the area. The system must authorize the use of an illuminated  
6 display to communicate with disaster relief personnel.

7 (b) A person participating in the disaster identification  
8 system shall:

9 (1) affix to each individual and domesticated animal  
10 in the person's household an illuminated display of the following  
11 colors:

12 (A) if the person has a monochromatic illuminated  
13 display, the color white for each individual and animal; or

14 (B) if the person has a multicolored illuminated  
15 display:

16 (i) blue for each individual 18 years of age  
17 or older;

18 (ii) green for each individual with a  
19 disability;

20 (iii) red for each individual younger than  
21 18 years of age; and

22 (iv) yellow for each animal; and

23 (2) using the illuminated display, signal to disaster  
24 relief personnel responding to the area after the disaster with:

25 (A) a continuous light on the display of each  
26 household member who does not need medical assistance; or

27 (B) a flashing light on the display of each

1 household member who needs medical assistance.

2 (c) Disaster relief personnel may patrol the designated  
3 disaster area by air or ground at night to locate individuals or  
4 animals with activated illuminated displays.

5 SECTION 4. Section 418.042(a), Government Code, is amended  
6 to read as follows:

7 (a) The division shall prepare and keep current a  
8 comprehensive state emergency management plan. The plan may  
9 include:

10 (1) provisions for prevention and minimization of  
11 injury and damage caused by disaster;

12 (2) provisions for prompt and effective response to  
13 disaster;

14 (3) provisions for emergency relief;

15 (4) provisions for energy emergencies;

16 (5) identification of areas particularly vulnerable  
17 to disasters;

18 (6) recommendations for zoning, building  
19 restrictions, and other land-use controls, safety measures for  
20 securing mobile homes or other nonpermanent or semipermanent  
21 structures, and other preventive and preparedness measures  
22 designed to eliminate or reduce disasters or their impact;

23 (7) provisions for assistance to local officials in  
24 designing local emergency management plans;

25 (8) authorization and procedures for the erection or  
26 other construction of temporary works designed to protect against  
27 or mitigate danger, damage, or loss from flood, fire, or other

1 disaster;

2 (9) preparation and distribution to the appropriate  
3 state and local officials of state catalogs of federal, state, and  
4 private assistance programs;

5 (10) organization of manpower and channels of  
6 assistance;

7 (11) coordination of federal, state, and local  
8 emergency management activities;

9 (12) coordination of the state emergency management  
10 plan with the emergency management plans of the federal government;

11 (13) coordination of federal and state energy  
12 emergency plans;

13 (14) provisions for providing information to local  
14 officials on activation of the Emergency Alert System established  
15 under 47 C.F.R. Part 11;

16 (15) a database of public facilities that may be used  
17 under Section 418.017 to shelter individuals during a disaster,  
18 including air-conditioned facilities for shelter during an extreme  
19 heat disaster and fortified structures for shelter during a wind  
20 disaster;

21 (16) provisions for quickly replenishing the food  
22 supplies of area food banks or food pantries following a disaster;

23 (17) provisions for protecting public health;

24 (18) provisions for the use of the disaster  
25 identification system described by Section 418.0151; and

26 (19) [~~18~~] other necessary matters relating to  
27 disasters.

1 SECTION 5. This Act takes effect September 1, 2023.