

By: Harper-Brown

H.B. No. 1528

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a declaration of a local state of disaster by certain  
3 joint airport boards.

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

5 SECTION 1. Section 418.004, Government Code, is amended by  
6 adding Subdivision (8) to read as follows:

7 (8) "Joint board" means a board created under Section  
8 22.074, Transportation Code, whose constituent agencies are  
9 populous home-rule municipalities as defined by Section 22.071,  
10 Transportation Code.

11 SECTION 2. Section 418.102(b), Government Code, is amended  
12 to read as follows:

13 (b) The county program is the first channel through which a  
14 municipal corporation or a joint board shall request assistance  
15 when its resources are exceeded. Requests that exceed the county  
16 capability shall be forwarded to the state as prescribed in the  
17 state emergency management plan.

18 SECTION 3. Section 418.108, Government Code, is amended to  
19 read as follows:

20 Sec. 418.108. DECLARATION OF LOCAL DISASTER. (a) Except as  
21 provided by Subsection (e), the [~~The~~] presiding officer of the  
22 governing body of a political subdivision may declare a local state  
23 of disaster.

24 (b) A declaration of local disaster may not be continued or

1 renewed for a period of more than seven days except with the consent  
2 of the governing body of the political subdivision or the joint  
3 board as provided by Subsection (e), as applicable.

4 (c) An order or proclamation declaring, continuing, or  
5 terminating a local state of disaster shall be given prompt and  
6 general publicity and shall be filed promptly with the city  
7 secretary, ~~or~~ county clerk, or the joint board's official  
8 records, as applicable.

9 (d) A declaration of local disaster activates the recovery  
10 and rehabilitation aspects of all applicable local or  
11 interjurisdictional emergency management plans and authorizes the  
12 furnishing of aid and assistance under the declaration. The  
13 preparedness and response aspects of the plans are activated as  
14 provided in the plans.

15 (e) The chief administrative officer of a joint board has  
16 exclusive authority to declare that a local state of disaster  
17 exists within the boundaries of an airport operated or controlled  
18 by the joint board, regardless of whether the airport is located in  
19 or outside the boundaries of a political subdivision.

20 SECTION 4. This Act takes effect September 1, 2003.