

By: Nelson

S.B. No. 756

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. Subsection (b), Section 418.102, Government
12 Code, is amended 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
21 as 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, the [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.