

AN ACT

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

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

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

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

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

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

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

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

(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 immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 756 passed the Senate on April 3, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on April 30, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 756 passed the House, with amendment, on April 25, 2003, by the following vote: Yeas 146, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor