

1-1 By: Nelson S.B. No. 756
1-2 (In the Senate - Filed February 28, 2003; March 5, 2003,
1-3 read first time and referred to Committee on Infrastructure
1-4 Development and Security; March 25, 2003, reported favorably by
1-5 the following vote: Yeas 8, Nays 0; March 25, 2003, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to a declaration of a local state of disaster by certain
1-10 joint airport boards.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 418.004, Government Code, is amended by
1-13 adding Subdivision (8) to read as follows:

1-14 (8) "Joint board" means a board created under Section
1-15 22.074, Transportation Code, whose constituent agencies are
1-16 populous home-rule municipalities as defined by Section 22.071,
1-17 Transportation Code.

1-18 SECTION 2. Subsection (b), Section 418.102, Government
1-19 Code, is amended to read as follows:

1-20 (b) The county program is the first channel through which a
1-21 municipal corporation or a joint board shall request assistance
1-22 when its resources are exceeded. Requests that exceed the county
1-23 capability shall be forwarded to the state as prescribed in the
1-24 state emergency management plan.

1-25 SECTION 3. Section 418.108, Government Code, is amended to
1-26 read as follows:

1-27 Sec. 418.108. DECLARATION OF LOCAL DISASTER. (a) Except
1-28 as provided by Subsection (e), the [The] presiding officer of the
1-29 governing body of a political subdivision may declare a local state
1-30 of disaster.

1-31 (b) A declaration of local disaster may not be continued or
1-32 renewed for a period of more than seven days except with the consent
1-33 of the governing body of the political subdivision or the joint
1-34 board as provided by Subsection (e), as applicable.

1-35 (c) An order or proclamation declaring, continuing, or
1-36 terminating a local state of disaster shall be given prompt and
1-37 general publicity and shall be filed promptly with the city
1-38 secretary, the [ex] county clerk, or the joint board's official
1-39 records, as applicable.

1-40 (d) A declaration of local disaster activates the recovery
1-41 and rehabilitation aspects of all applicable local or
1-42 interjurisdictional emergency management plans and authorizes the
1-43 furnishing of aid and assistance under the declaration. The
1-44 preparedness and response aspects of the plans are activated as
1-45 provided in the plans.

1-46 (e) The chief administrative officer of a joint board has
1-47 exclusive authority to declare that a local state of disaster
1-48 exists within the boundaries of an airport operated or controlled
1-49 by the joint board, regardless of whether the airport is located in
1-50 or outside the boundaries of a political subdivision.

1-51 SECTION 4. This Act takes effect September 1, 2003.

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