

By: Armbrister

S.B. No. 1274

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of a council and an account in the general
3 revenue fund to help improve statewide public safety wireless
4 communication capabilities and enhance the Texas driver's license
5 system.

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

7 SECTION 1. Subchapter A, Chapter 411, Government Code, is
8 amended by adding Sections 411.0105 and 411.0106 to read as
9 follows:

10 Sec. 411.0105. PUBLIC SAFETY WIRELESS COMMUNICATIONS
11 COUNCIL. (a) In this section:

12 (1) "Public safety spectrum" means any radio frequency
13 spectrum administered by the Federal Communications Commission
14 under 47 C.F.R. Section 90 for operation of interoperable and
15 general-use radio communications systems for public safety
16 purposes in the state.

17 (2) "Infrastructure equipment" means the underlying
18 permanent equipment required for wireless communications systems
19 that are designed to facilitate public safety wireless
20 communications interoperability.

21 (b) The Public Safety Wireless Communications Council is
22 composed of the administrative head of each of the following
23 entities or that person's designee:

24 (1) the department;

- 1 (2) Texas Department of Transportation;
- 2 (3) Texas Department of Criminal Justice;
- 3 (4) Parks and Wildlife Department;
- 4 (5) Texas Forest Service;
- 5 (6) Texas Youth Commission;
- 6 (7) Texas Alcoholic Beverage Commission; and
- 7 (8) Sheriffs' Association of Texas.

8 (c) The council shall:

9 (1) advise the department in the development and
10 administration of a strategic plan to implement statewide
11 integrated public safety wireless communications systems for state
12 agencies, political subdivisions of the state, and volunteer fire
13 departments that promote interoperability and other shared uses of
14 the public safety spectrum within and between local, state, and
15 federal agencies and that is consistent with the regulations and
16 decisions of the Federal Communications Commission;

17 (2) develop a model memorandum of understanding that
18 sets forth the general terms of agreement for interoperability and
19 other shared uses of the public safety spectrum and infrastructure
20 between a state agency and a local or federal agency;

21 (3) research and identify the wireless communications
22 infrastructure equipment necessary to improve interoperability and
23 other shared uses of the public safety spectrum in order to
24 facilitate the strategic plan under Subdivision (1);

25 (4) research and identify state agencies that need new
26 or upgraded wireless communications equipment to be capable of
27 participating in interoperability and other shared uses of the

1 public safety spectrum within and between local, state, and federal
2 agencies;

3 (5) advise the department in the development and
4 administration of a program to purchase wireless communications
5 equipment in order to facilitate the strategic plan under
6 Subdivision (1);

7 (6) develop specific agreements for interoperability
8 and other shared uses of the public safety spectrum between local,
9 state, and federal agencies that operate wireless systems on the
10 public safety spectrum and that have the capability for
11 interoperability or other shared uses; and

12 (7) research and identify any enhancements to the
13 Texas driver's license system that are necessary to facilitate the
14 strategic plan under Subdivision (1).

15 (d) In developing specific agreements under Subsection
16 (c)(6), the council must seek assistance and relevant information
17 from the following entities:

18 (1) the State Firemen's & Fire Marshals' Association
19 of Texas;

20 (2) the Texas Police Chiefs Association;

21 (3) the Texas Fire Chiefs Association;

22 (4) the Texas Association of Counties; and

23 (5) the Texas Municipal League.

24 (e) The council may consult with a representative of an
25 entity listed in Subsection (d) to obtain assistance or information
26 necessary for the performance of any duty under this section.

27 (f) Not later than September 1 of each year, the council

1 shall provide to the legislature a report on the status of its
2 duties under this section.

3 (g) The council is subject to Chapter 2110, except that
4 Section 2110.002 does not apply.

5 (h) The department shall provide administrative support for
6 the council and assist with the preparation of a report required by
7 this section.

8 Sec. 411.0106. PUBLIC SAFETY WIRELESS COMMUNICATIONS AND
9 DRIVER'S LICENSE SYSTEM IMPROVEMENT FUND. (a) The public safety
10 wireless communications and driver's license system improvement
11 fund is an account in the general revenue fund.

12 (b) Section 403.095 does not apply to the fund.

13 (c) The fund is financed by:

14 (1) an additional fee on each driver's license
15 issuance and renewal as prescribed by Section 521.421,
16 Transportation Code; and

17 (2) any federal money, including grants and
18 appropriations, sent to the state and dedicated for homeland
19 security wireless communications purposes.

20 (d) Money in the fund may only be appropriated to and used by
21 the department in accordance with this section and Section 411.0105
22 to:

23 (1) re-engineer and otherwise enhance the Texas
24 driver's license system to help prevent identity fraud, improve
25 information storage and retrieval capabilities, promote rapid
26 dissemination of information, and help facilitate statewide
27 interoperable wireless communications systems;

1 (2) maintain and support an enhanced driver's license
2 system;

3 (3) design statewide interoperable wireless
4 communications systems;

5 (4) purchase new or upgraded wireless communications
6 infrastructure equipment to enable local, state, and federal
7 agencies to be capable of participating in interoperability and
8 other shared uses of the public safety spectrum and to facilitate
9 statewide interoperable wireless communications systems; and

10 (5) reimburse state agencies for the costs of
11 operating and maintaining telecommunications equipment and
12 participating in interoperability and other shared uses of the
13 public safety spectrum within and between local, state, and federal
14 agencies.

15 SECTION 2. Section 521.421, Transportation Code, is amended
16 by amending Subsections (a) and (b) and adding Subsection (i) to
17 read as follows:

18 (a) The fee for issuance or renewal of a license not
19 otherwise provided for by this section is \$36 [~~\$24~~].

20 (b) The fee for renewal of a Class M license or for renewal
21 of a license that includes authorization to operate a motorcycle is
22 \$44 [~~\$32~~].

23 (i) The department shall remit \$12 from each fee collected
24 by the issuance or renewal of a license under Subsections (a) and
25 (b) to the comptroller for deposit in the public safety wireless
26 communications and driver's license system improvement fund
27 account subject to Section 411.0106, Government Code.

1 SECTION 3. (a) The Public Safety Wireless Communications
2 Council created by Section 411.0105, Government Code, as added by
3 this Act:

4 (1) shall hold its first meeting in accordance with
5 that section not later than December 1, 2003; and

6 (2) shall provide to the legislature its first report
7 required under that section not later than September 1, 2004.

8 (b) In addition to information about the progress of its
9 duties and functions, the first report must include information
10 about the steps necessary and projected costs for implementation
11 and maintenance of statewide interoperable wireless communications
12 systems to facilitate the strategic plan under Section 411.0105(c),
13 Government Code, as added by this Act.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2003.