

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 1818  
By: Janek et al.  
Transportation & Homeland Security  
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Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Hurricanes pose an undeniable threat to the lives and property of Texans. Since 1900, violent storms have claimed nearly 9,000 lives and caused more than \$7 billion in damages along our 600-mile coastline. The hurricanes that ravaged Florida in 2004 took more than 100 lives and destroyed 27,476 homes.

Although hurricanes can be devastating, scientific advances have lengthened the period of time available to prepare for a hurricane's landfall. With optimal hurricane evacuation plans, Texas authorities can act quickly and efficiently to prevent loss of life. Texas officials are committed to maintaining a robust evacuation plan and continuing ongoing infrastructure improvements to minimize loss of life in the event of a hurricane.

The Office of Homeland Security has presented a report to the Office of the Governor that includes eighteen recommendations in five key areas: planning; command, control, and communication; public awareness; exercise and evaluation; and evacuation route infrastructure.

C.S.S.B. 1818 provides for improvements in coordinated state efforts to detect, prepare for, and respond to certain natural disasters.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 418.108, Government Code, by adding Subsections (f) and (g), as follows:

(f) Authorizes the presiding officer of the governing body of a political subdivision, subject to the governor's homeland security strategy developed under Chapter 421 (Homeland Security), to order the evacuation of all or part of the population from an area in the jurisdiction of the political subdivision that is stricken with or threatened by a disaster if the presiding officer considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery.

(g) Authorizes the presiding officer of the governing body of a political subdivision, subject to the governor's homeland security strategy developed under Chapter 421, to control ingress to and egress from a disaster area in the political subdivision's jurisdiction and the movement of persons and the occupancy of premises in a disaster area in the political subdivision's jurisdiction.

SECTION 2. Amends Chapter 418, Government Code, by adding Subchapter I, as follows:

#### **SUBCHAPTER I. CERTAIN DUTIES OF DIVISION AND OTHER ENTITIES RELATED TO THE MANAGEMENT OF DISASTERS**

Sec. 418.251. DIVISION DUTIES. Requires the division of emergency management in the office of the governor (division) to take certain enumerated actions to improve the ability of the division to manage disasters.

Sec. 418.252. GOVERNOR'S OFFICE OF HOMELAND SECURITY. Requires the governor's office of homeland security (office) to take certain actions to manage disasters.

Sec. 418.253. HEALTH AND HUMAN SERVICES COMMISSION. (a) Requires the Health and Human Services Commission (commission), with the cooperation of other health and human services agencies, including the Department of State Health Services and the Department of Aging and Disability Services, to encourage and assist local officials to identify and maintain a list of certain persons, and develop a plan to provide improved emergency evacuation assistance to certain persons with special needs, to manage disasters.

(b) Provides that this section dose not create a duty or cause of action.

Sec. 418.254. TEXAS DEPARTMENT OF TRANSPORTATION. Requires the Texas Department of Transportation (TxDOT), to conduct a specific evacuation routes study, purchase and install certain devices and develop, and implement a certain disaster management plan, using available funds.

Sec. 418.255. DEPARTMENT OF PUBLIC SAFETY. Requires the Department of Public Safety (DPS) to take certain actions to manage disasters, and report to the legislature and governor its progress in improving and coordinating the hurricane planning and response efforts of designated hurricane evacuation areas.

SECTION 3. Requires the DPS, not later than December 1, 2006, to report to the legislature and the governor DPS's progress in improving and coordinating the hurricane planning and response efforts of designated hurricane evacuation.

SECTION 4. Effective date: upon passage or September 1, 2005.