

By: Corte

H.B. No. 3111

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the ability of a presiding officer of a local governing
3 body to order an evacuation during a declaration of an emergency.

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

5 SECTION 1. Section 418.108, Government Code, is amended by
6 adding new subsections (f) and (g) to read as follows:

7 (f) The presiding officer of the governing body of a
8 political subdivision may order the evacuation of all or part of the
9 population from a stricken or threatened area in the state if the
10 presiding officer considers the action necessary for the
11 preservation of life or other disaster mitigation, response, or
12 recovery.

13 (g) The presiding officer of the governing body of a
14 political subdivision may control ingress and egress to and from a
15 disaster area and the movement of persons and the occupancy of
16 premises in the area.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2005.