

By: Staples

S.B. No. 432

A BILL TO BE ENTITLED

AN ACT

relating to the abolition of the Public Safety Radio Communications Council and the transfer of certain functions to the office of the governor.

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

SECTION 1. Chapter 421, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. GOVERNOR'S INTEROPERABLE RADIO COMMUNICATIONS PROGRAM

Sec. 421.095. DEFINITIONS. In this subchapter:

(1) "First responder" means a public safety employee or volunteer whose duties include responding rapidly to an emergency. The term includes:

(A) a peace officer whose duties include responding rapidly to an emergency;

(B) fire protection personnel under Section 419.021;

(C) a volunteer firefighter who is:  
(i) certified by the Texas Commission on Fire Protection; or

(ii) a member of an organized volunteer fire-fighting unit as described by Section 615.003; and

(D) an individual certified as emergency medical services personnel by the Department of State Health Services.

1           (2) "Infrastructure equipment" means the underlying  
2 permanent equipment required to establish interoperable  
3 communication between radio systems used by local, state, and  
4 federal agencies and first responders.

5           Sec. 421.096. INTEROPERABILITY OF RADIO SYSTEMS. The  
6 office of the governor shall:

7           (1) develop and administer a strategic plan to design  
8 and implement a statewide integrated public safety radio  
9 communications system that promotes interoperability within and  
10 between local, state, and federal agencies and first responders;

11           (2) develop a model memorandum of understanding that  
12 sets forth the general terms of agreement for interoperability  
13 between a state agency and a local or federal agency;

14           (3) develop and administer a plan in accordance with  
15 Subdivision (1) to purchase infrastructure equipment for state and  
16 local agencies and first responders;

17           (4) advise representatives of the following entities  
18 on the purchase of infrastructure equipment and the development of  
19 specific agreements for interoperability between local, state, and  
20 federal agencies and first responders that operate radio systems  
21 and have the capability for interoperability:

22                   (A) the State Firemen's and Fire Marshals'  
23 Association of Texas;

24                   (B) the Texas Police Chiefs Association;

25                   (C) the Texas Fire Chiefs Association;

26                   (D) the Texas Association of Counties; and

27                   (E) the Texas Municipal League; and

1           (5) use appropriated money, including money from  
2 relevant federal homeland security grants, for the purposes of  
3 designing, implementing, and maintaining a statewide integrated  
4 public safety radio communications system.

5           Sec. 421.097. ASSISTANCE. The office of the governor may  
6 consult with a representative of an entity listed in Section  
7 421.096(4) to obtain assistance or information necessary for the  
8 performance of any duty under this subchapter.

9           Sec. 421.098. REPORT. Not later than September 1 of each  
10 year, the office of the governor shall provide to the legislature a  
11 report on the status of its duties under this subchapter.

12           SECTION 2. Section 411.0105, Government Code, is repealed.

13           SECTION 3. On the effective date of this Act:

14           (1) the Public Safety Radio Communications Council is  
15 abolished;

16           (2) the office of the governor replaces the Public  
17 Safety Radio Communications Council as the entity responsible for  
18 oversight of the development of a program related to the  
19 interoperability of radio communications;

20           (3) all property, including records, in the custody of  
21 the Texas Department of Public Safety that relates to the Public  
22 Safety Radio Communications Council or a program to promote the  
23 interoperability of radio communications becomes the property of  
24 the office of the governor and shall be made available to the office  
25 of the governor no later than December 1, 2005; and

26           (4) all funds appropriated by the legislature to the  
27 Texas Department of Public Safety for the purpose of providing

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1 administrative support to the Public Safety Radio Communications  
2 Council are transferred to the office of the governor.

3 SECTION 4. This Act takes effect September 1, 2005.