

By: Gallegos

S.B. No. 1762

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and operation of a public building mapping information system by the Texas Building and Procurement Commission.

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

SECTION 1. Chapter 2152, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PUBLIC BUILDING MAPPING INFORMATION SYSTEM

Sec. 2152.151. DEFINITIONS. In this subchapter:

(1) "Committee" means the Public Building Mapping Information System Committee under Section 2152.155.

(2) "First responder" means:

(A) a public safety employee whose primary duties include responding rapidly to an emergency as the first person to arrive at the scene of the emergency;

(B) a person who is defined as fire protection personnel under Section 419.021;

(C) a volunteer firefighter certified by the Texas Commission on Fire Protection or the State Firemen's and Fire Marshals' Association of Texas; and

(D) a peace officer or firefighter who provides first responder services under an interlocal agreement.

(3) "Maps and other information" means the information required by the commission under Section 2152.152(b).

1           (4) "Public agency" means the state or a political  
2 subdivision of the state.

3           (5) "Public building" means any building owned or  
4 occupied by a public agency.

5           Sec. 2152.152. INFORMATION SYSTEM. (a) The commission,  
6 with the advice of the committee, shall establish and operate a  
7 statewide public building mapping information system for the  
8 purpose of storing information related to public buildings in an  
9 electronic format that will be readily accessible to first  
10 responders in the event of an emergency.

11           (b) Subject to available funding, the commission, with the  
12 advice of the committee, shall develop a plan to create or obtain,  
13 as appropriate, the following information relating to public  
14 buildings for the purpose of storing the information in the public  
15 building mapping information system:

- 16           (1) floor plans and other relevant building maps;  
17           (2) fire protection information;  
18           (3) evacuation plans;  
19           (4) utility information;  
20           (5) known hazards;  
21           (6) text and digital images showing emergency  
22 personnel contact information; and

23           (7) other information determined by the committee to  
24 be necessary.

25           Sec. 2152.153. SOFTWARE STANDARDS AND FORMAT REQUIREMENTS.  
26 The commission, with the advice of the committee:

- 27           (1) shall develop software standards and format

1 requirements for the creation and storage of maps and other  
2 information relating to public buildings by all public agencies;  
3 and

4 (2) may refuse to accept for storage in the system any  
5 submitted maps and other information that do not comply with the  
6 software standards or format required by the commission.

7 Sec. 2152.154. SUBMISSION OF INFORMATION. (a) Each public  
8 agency that creates or stores maps and other information related to  
9 a public building shall submit the maps and information to the  
10 commission for storage in the public building mapping information  
11 system.

12 (b) A private entity that creates or stores maps and other  
13 information related to a public building may voluntarily provide  
14 the maps and information to the commission for storage in the public  
15 building mapping information system.

16 Sec. 2152.155. COMMITTEE. (a) The Public Building Mapping  
17 Information System Committee is an advisory entity administered by  
18 the commission.

19 (b) The commission may adopt rules necessary for the  
20 operation of the committee.

21 (c) The committee is composed of one representative of each  
22 of the following entities, appointed by the single statewide  
23 elected or appointed governing officer or administrative head of  
24 the entity:

25 (1) the commission;

26 (2) the Department of Public Safety;

27 (3) the Department of Information Resources;

- 1           (4) the Texas Association of Counties;
- 2           (5) the Texas Municipal League;
- 3           (6) the Sheriffs' Association of Texas;
- 4           (7) the Texas Police Chiefs Association; and
- 5           (8) the Texas Fire Chiefs Association.

6           (d) The committee shall develop recommendations for the  
7 commission with respect to:

8           (1) the information required to be included in the  
9 public building mapping information system;

10           (2) the software standards and required format for  
11 maps and other information to be included in the public building  
12 mapping information system;

13           (3) a plan for the creation and storage of maps and  
14 other information that, based on the availability of funding,  
15 specifies the order in which the information shall be created and  
16 stored;

17           (4) the manner in which information in the public  
18 building mapping information system shall be accessed, including  
19 detailed procedures and security systems that will ensure that  
20 information is made available only to appropriate persons at  
21 appropriate times; and

22           (5) guidelines for training related to the use of the  
23 public building mapping information system.

24           Sec. 2152.156. AVAILABILITY OF INFORMATION. The  
25 commission, with the advice of the committee, shall develop  
26 procedures for the release of information in the public building  
27 mapping information system to first responders in the event of an

1 emergency.

2 Sec. 2152.157. ACCESS TO INFORMATION. This subchapter does  
3 not apply to the extent that it interferes with the ability of a  
4 public agency to control and maintain access to information in an  
5 information system other than the public building mapping  
6 information system.

7 Sec. 2152.158. FUNDING. The commission shall apply for  
8 federal funding available for purposes related to this subchapter.  
9 If the commission obtains a federal grant for public building  
10 mapping, the commission shall use the grant to:

11 (1) establish and maintain the public building mapping  
12 information system under this subchapter; and

13 (2) administer grants to other public agencies in  
14 accordance with federal and state guidelines to assist with the  
15 creation and storage of maps and other information according to the  
16 plan developed by the commission with the advice of the committee.

17 Sec. 2152.159. EXCEPTION FROM PUBLIC INFORMATION LAW.  
18 Information received and maintained by the commission under this  
19 subchapter is excepted from required disclosure under the public  
20 information law, Chapter 552.

21 Sec. 2152.160. LOCAL GOVERNMENT IMMUNITY. A local  
22 government and its employees are immune from civil liability from  
23 any act or omission relating to the creation and use of the public  
24 building mapping information system under this subchapter, unless  
25 the act or omission was grossly negligent or done in bad faith.

26 SECTION 2. Notwithstanding Subchapter D, Chapter 2152,  
27 Government Code, as added by this Act, a public agency is not

1 required to create or store maps and other information related to  
2 public buildings owned or occupied by the agency unless all related  
3 costs are provided to the public agency specifically for that  
4 purpose by the Texas Building and Procurement Commission or another  
5 entity.

6 SECTION 3. (a) Not later than December 1, 2005, the Texas  
7 Building and Procurement Commission shall develop software  
8 standards and format requirements in accordance with Section  
9 2152.153, Government Code, as added by this Act.

10 (b) A public agency is not required to comply with Section  
11 2152.153, Government Code, as added by this Act, until the software  
12 standards and format requirements are developed by the Texas  
13 Building and Procurement Commission in accordance with that  
14 section.

15 SECTION 4. If, before the establishment of the public  
16 building mapping information system under Subchapter D, Chapter  
17 2152, Government Code, as added by this Act, a local government  
18 establishes an independent building mapping system or creates or  
19 stores maps and other information related to a public building  
20 using software standards and format requirements other than those  
21 established under Section 2152.153, Government Code, as added by  
22 this Act, the local government may continue to use its independent  
23 building mapping system and unique software standards and format  
24 until the Texas Building and Procurement Commission provides  
25 funding necessary to modify the local government's information  
26 system to achieve compatibility with the standards and format  
27 requirements established by the commission under Section 2152.153,

1 Government Code, as added by this Act.

2 SECTION 5. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2005.