

1-1 By: Gallegos S.B. No. 1762
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; May 6, 2005, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 6, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the establishment and operation of a public building
1-9 mapping information system by the Texas Building and Procurement
1-10 Commission.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 2152, Government Code, is amended by
1-13 adding Subchapter D to read as follows:

1-14 SUBCHAPTER D. PUBLIC BUILDING MAPPING INFORMATION SYSTEM

1-15 Sec. 2152.151. DEFINITIONS. In this subchapter:

1-16 (1) "Committee" means the Public Building Mapping
1-17 Information System Committee under Section 2152.155.

1-18 (2) "First responder" means:

1-19 (A) a public safety employee whose primary duties
1-20 include responding rapidly to an emergency as the first person to
1-21 arrive at the scene of the emergency;

1-22 (B) a person who is defined as fire protection
1-23 personnel under Section 419.021;

1-24 (C) a volunteer firefighter certified by the
1-25 Texas Commission on Fire Protection or the State Firemen's and Fire
1-26 Marshals' Association of Texas; and

1-27 (D) a peace officer or firefighter who provides
1-28 first responder services under an interlocal agreement.

1-29 (3) "Maps and other information" means the information
1-30 required by the commission under Section 2152.152(b).

1-31 (4) "Public agency" means the state or a political
1-32 subdivision of the state.

1-33 (5) "Public building" means any building owned or
1-34 occupied by a public agency.

1-35 Sec. 2152.152. INFORMATION SYSTEM. (a) The commission,
1-36 with the advice of the committee, shall establish and operate a
1-37 statewide public building mapping information system for the
1-38 purpose of storing information related to public buildings in an
1-39 electronic format that will be readily accessible to first
1-40 responders in the event of an emergency.

1-41 (b) Subject to available funding, the commission, with the
1-42 advice of the committee, shall develop a plan to create or obtain,
1-43 as appropriate, the following information relating to public
1-44 buildings for the purpose of storing the information in the public
1-45 building mapping information system:

1-46 (1) floor plans and other relevant building maps;

1-47 (2) fire protection information;

1-48 (3) evacuation plans;

1-49 (4) utility information;

1-50 (5) known hazards;

1-51 (6) text and digital images showing emergency
1-52 personnel contact information; and

1-53 (7) other information determined by the committee to
1-54 be necessary.

1-55 Sec. 2152.153. SOFTWARE STANDARDS AND FORMAT REQUIREMENTS.
1-56 The commission, with the advice of the committee:

1-57 (1) shall develop software standards and format
1-58 requirements for the creation and storage of maps and other
1-59 information relating to public buildings by all public agencies;
1-60 and

1-61 (2) may refuse to accept for storage in the system any
1-62 submitted maps and other information that do not comply with the
1-63 software standards or format required by the commission.

1-64 Sec. 2152.154. SUBMISSION OF INFORMATION. (a) Each public

2-1 agency that creates or stores maps and other information related to
2-2 a public building shall submit the maps and information to the
2-3 commission for storage in the public building mapping information
2-4 system.

2-5 (b) A private entity that creates or stores maps and other
2-6 information related to a public building may voluntarily provide
2-7 the maps and information to the commission for storage in the public
2-8 building mapping information system.

2-9 Sec. 2152.155. COMMITTEE. (a) The Public Building Mapping
2-10 Information System Committee is an advisory entity administered by
2-11 the commission.

2-12 (b) The commission may adopt rules necessary for the
2-13 operation of the committee.

2-14 (c) The committee is composed of one representative of each
2-15 of the following entities, appointed by the single statewide
2-16 elected or appointed governing officer or administrative head of
2-17 the entity:

- 2-18 (1) the commission;
- 2-19 (2) the Department of Public Safety;
- 2-20 (3) the Department of Information Resources;
- 2-21 (4) the Texas Association of Counties;
- 2-22 (5) the Texas Municipal League;
- 2-23 (6) the Sheriffs' Association of Texas;
- 2-24 (7) the Texas Police Chiefs Association; and
- 2-25 (8) the Texas Fire Chiefs Association.

2-26 (d) The committee shall develop recommendations for the
2-27 commission with respect to:

2-28 (1) the information required to be included in the
2-29 public building mapping information system;

2-30 (2) the software standards and required format for
2-31 maps and other information to be included in the public building
2-32 mapping information system;

2-33 (3) a plan for the creation and storage of maps and
2-34 other information that, based on the availability of funding,
2-35 specifies the order in which the information shall be created and
2-36 stored;

2-37 (4) the manner in which information in the public
2-38 building mapping information system shall be accessed, including
2-39 detailed procedures and security systems that will ensure that
2-40 information is made available only to appropriate persons at
2-41 appropriate times; and

2-42 (5) guidelines for training related to the use of the
2-43 public building mapping information system.

2-44 Sec. 2152.156. AVAILABILITY OF INFORMATION. The
2-45 commission, with the advice of the committee, shall develop
2-46 procedures for the release of information in the public building
2-47 mapping information system to first responders in the event of an
2-48 emergency.

2-49 Sec. 2152.157. ACCESS TO INFORMATION. This subchapter does
2-50 not apply to the extent that it interferes with the ability of a
2-51 public agency to control and maintain access to information in an
2-52 information system other than the public building mapping
2-53 information system.

2-54 Sec. 2152.158. FUNDING. The commission shall apply for
2-55 federal funding available for purposes related to this subchapter.
2-56 If the commission obtains a federal grant for public building
2-57 mapping, the commission shall use the grant to:

2-58 (1) establish and maintain the public building mapping
2-59 information system under this subchapter; and

2-60 (2) administer grants to other public agencies in
2-61 accordance with federal and state guidelines to assist with the
2-62 creation and storage of maps and other information according to the
2-63 plan developed by the commission with the advice of the committee.

2-64 Sec. 2152.159. EXCEPTION FROM PUBLIC INFORMATION LAW.
2-65 Information received and maintained by the commission under this
2-66 subchapter is excepted from required disclosure under the public
2-67 information law, Chapter 552.

2-68 Sec. 2152.160. LOCAL GOVERNMENT IMMUNITY. A local
2-69 government and its employees are immune from civil liability from

3-1 any act or omission relating to the creation and use of the public
3-2 building mapping information system under this subchapter, unless
3-3 the act or omission was grossly negligent or done in bad faith.

3-4 SECTION 2. Notwithstanding Subchapter D, Chapter 2152,
3-5 Government Code, as added by this Act, a public agency is not
3-6 required to create or store maps and other information related to
3-7 public buildings owned or occupied by the agency unless all related
3-8 costs are provided to the public agency specifically for that
3-9 purpose by the Texas Building and Procurement Commission or another
3-10 entity.

3-11 SECTION 3. (a) Not later than December 1, 2005, the Texas
3-12 Building and Procurement Commission shall develop software
3-13 standards and format requirements in accordance with Section
3-14 2152.153, Government Code, as added by this Act.

3-15 (b) A public agency is not required to comply with Section
3-16 2152.153, Government Code, as added by this Act, until the software
3-17 standards and format requirements are developed by the Texas
3-18 Building and Procurement Commission in accordance with that
3-19 section.

3-20 SECTION 4. If, before the establishment of the public
3-21 building mapping information system under Subchapter D, Chapter
3-22 2152, Government Code, as added by this Act, a local government
3-23 establishes an independent building mapping system or creates or
3-24 stores maps and other information related to a public building
3-25 using software standards and format requirements other than those
3-26 established under Section 2152.153, Government Code, as added by
3-27 this Act, the local government may continue to use its independent
3-28 building mapping system and unique software standards and format
3-29 until the Texas Building and Procurement Commission provides
3-30 funding necessary to modify the local government's information
3-31 system to achieve compatibility with the standards and format
3-32 requirements established by the commission under Section 2152.153,
3-33 Government Code, as added by this Act.

3-34 SECTION 5. This Act takes effect immediately if it receives
3-35 a vote of two-thirds of all the members elected to each house, as
3-36 provided by Section 39, Article III, Texas Constitution. If this
3-37 Act does not receive the vote necessary for immediate effect, this
3-38 Act takes effect September 1, 2005.

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