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S.B. No. 1818

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the improvement and coordination of statewide efforts
3 to detect, prepare for, and respond to certain emergencies.

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 Subsections (f) and (g) to read as follows:

7 (f) Subject to the governor's homeland security strategy
8 developed under Chapter 421, the presiding officer of the governing
9 body of a political subdivision may order the evacuation of all or
10 part of the population from an area in the jurisdiction of the
11 political subdivision that is stricken with or threatened by a
12 disaster if the presiding officer considers the action necessary
13 for the preservation of life or other disaster mitigation,
14 response, or recovery.

15 (g) Subject to the governor's homeland security strategy
16 developed under Chapter 421, the presiding officer of the governing
17 body of a political subdivision may control ingress to and egress
18 from a disaster area in the political subdivision's jurisdiction
19 and the movement of persons and the occupancy of premises in a
20 disaster area in the political subdivision's jurisdiction.

21 SECTION 2. Chapter 418, Government Code, is amended by
22 adding Subchapter I to read as follows:

23 SUBCHAPTER I. CERTAIN DUTIES OF DIVISION AND OTHER ENTITIES

24 RELATED TO THE MANAGEMENT OF DISASTERS

1 Sec. 418.251. DIVISION DUTIES. To improve the ability of
2 the division to manage disasters, the division shall:

3 (1) employ and train four incident management teams
4 composed of first responders who are trained in emergency
5 management, including hurricane emergency management;

6 (2) deploy the teams as needed to assist with mass
7 evacuations;

8 (3) conduct a study to determine the benefits, if any,
9 of preemptively deploying the teams to expand the range of response
10 and recovery services provided by the teams, and publish a report of
11 the study;

12 (4) develop and implement a media campaign, in
13 coordination with local government officials, to improve public
14 awareness of hurricanes, hurricane preparedness, available
15 resources, and hurricane evacuation routes in regions of this state
16 that are close to the Gulf of Mexico; and

17 (5) using existing funds, develop training exercises
18 with the Texas Department of Transportation that will allow the
19 division to evaluate traffic management in relation to the planned
20 regional mass evacuation routes developed by state and local
21 officials and ensure the adequacy of the evacuation plans.

22 Sec. 418.252. GOVERNOR'S OFFICE OF HOMELAND SECURITY. To
23 improve the ability of the governor's office of homeland security
24 to manage disasters, the office shall:

25 (1) require local officials who are responsible for
26 emergency management planning to collaborate in the development of
27 regional mass evacuation plans that are fully compliant with the

1 framework developed by the National Incident Management System; and

2 (2) in coordination with the Texas Department of
3 Transportation, consult with local officials who are responsible
4 for emergency management planning to identify and upgrade hurricane
5 evacuation systems to make the systems compliant with systems
6 designed to respond to other homeland security emergencies.

7 Sec. 418.253. HEALTH AND HUMAN SERVICES COMMISSION. To
8 improve the ability of the Health and Human Services Commission to
9 manage disasters, the commission, with the cooperation of other
10 health and human services agencies, including the Department of
11 State Health Services and the Department of Aging and Disability
12 Services, shall:

13 (1) encourage and assist local officials to identify
14 and maintain a list of persons with special needs, including
15 elderly persons and persons with disabilities, who may require
16 special assistance in the event of a catastrophic emergency; and

17 (2) develop a plan to provide improved emergency
18 evacuation assistance to persons with special needs.

19 Sec. 418.254. TEXAS DEPARTMENT OF TRANSPORTATION. To
20 improve the ability of the Texas Department of Transportation to
21 manage disasters, the department shall:

22 (1) seek available funding for, purchase, and install
23 real-time traffic counters at critical points on regional mass
24 evacuation routes, ensuring that the counters are linked to local
25 emergency operation centers and the Texas Infrastructure
26 Protection Communications Center under Subchapter E, Chapter 421;

27 (2) purchase wind gauges that will assist with the

1 prediction of and response to hurricanes approaching this state and
2 install the wind gauges in appropriate locations along the coast of
3 the Gulf of Mexico; and

4 (3) using available funds, develop and implement a
5 plan to:

6 (A) elevate low-lying roadways and bridges that
7 are a part of planned regional mass evacuation routes in coastal
8 regions to reduce the likelihood of flooding;

9 (B) reopen closed roadways that are a part of
10 planned regional mass evacuation routes;

11 (C) widen narrow roadways that are a part of
12 planned regional mass evacuation routes to improve the flow of
13 traffic and enhance overall evacuation capability; and

14 (D) install signs along planned regional mass
15 evacuation routes that indicate the availability of emergency
16 shelters.

17 Sec. 418.255. DEPARTMENT OF PUBLIC SAFETY. To improve the
18 ability of the Department of Public Safety to manage disasters, the
19 department shall:

20 (1) identify and designate regions of this state that
21 are close to the Gulf of Mexico as "hurricane evacuation areas";

22 (2) develop and implement a regional unified command
23 structure to plan for and conduct evacuations in hurricane
24 evacuation areas and to coordinate the hurricane preparedness and
25 response efforts of the designated hurricane evacuation areas in a
26 manner that complies with the National Incident Management System;

27 (3) develop and implement a program to provide

1 information to persons with special needs relating to hurricanes,
2 emergency preparedness, evacuations, and access to any available
3 resources that provide appropriate assistance and services; and
4 (4) not later than December 1, 2006, report to the
5 legislature and the governor the department's progress in improving
6 and coordinating the hurricane planning and response efforts of
7 designated hurricane evacuation areas.

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