

BILL ANALYSIS

C.S.H.B. 1471
By: Hancock
Border & International Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 418 of the Government Code reduces the vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from several types of emergency situations. However, current law does not address liability for borrowed equipment or other property between two political subdivisions or regional planning commissions that is used during emergency situations. As a result, many of these entities have to go through elaborate procedures and lengthy decision making processes which can significantly increase the response time in an emergency situation.

C.S.H.B. 1471 sets forth circumstances in which a local entity may expedite the sharing of resources during a disaster by superseding required procedures that may have been previously adopted, and it requires local entities to obtain appropriate insurance coverage for borrowed property.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1471 defines "local entity" for the purposes of this Act and authorizes a local entity to share its resources with another local entity regardless of the required process under an emergency management plan or program or local law, if the governor has declared a state of disaster or the presiding officers of both local entities enter into an agreement to share the resources.

C.S.H.B. 1471 requires a political subdivision to obtain appropriate insurance coverage for borrowed property for the period of time in which the resources are borrowed. The bill also defines "appropriate coverage" for the purposes of this Act.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1471 differs from the original by applying the provisions of this Act to borrowed property rather than insured borrowed property. The substitute also differs from the original by requiring a political subdivision to obtain insurance coverage for borrowed equipment or property if the lending political subdivision or local entity requests it.