

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1831
By: Corte et al. (Carona)
Transportation & Homeland Security
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas faces numerous emergency management concerns. The Division of Emergency Management of the Office of the Governor (GDEM) and state agencies have the task of collaborating and coordinating responsibilities during an emergency response. Many Texans would agree that the state has put forth significant efforts over the past disaster season and has made great strides in emergency management response. However, legislation is needed to address certain issues that affect the state's ability to provide emergency relief. These specific issues include evacuation and phased reentry, temporary home repairs, volunteer coordination and awareness, and agribusiness and public information awareness.

Current statute regarding emergency management is located in Chapter 418 (Emergency Management), Government Code. This chapter describes GDEM's mandatory responsibilities, such as determining available state resources in an emergency, assisting counties in emergency response, training county and municipal officials, and maintaining a registry of important facilities and equipment that may be used during an emergency. An enforcement mechanism does not exist for evacuation orders in the current statute. In addition, current law does not require implementation of a phased reentry plan into a declared disaster area. The Texas Department of Agriculture (TDA) is currently not required to prepare an emergency response plan for the agricultural community or business. Furthermore, agencies involved in emergency management are not currently required to disseminate information or report the effectiveness of their emergency response to the legislature.

C.S.H.B. 1831 amends current law relating to disaster preparedness and emergency management and to certain vehicles used in emergencies and provides a penalty.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Public Utility Commission of Texas in SECTION 2.02 of this bill.

Rulemaking authority is expressly granted to the Texas Funeral Service Commission in SECTION 3.02 (Section 695.003, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

ARTICLE 1. GENERAL PROVISIONS

SECTION 1.01. Amends Section 37.108, Education Code, by adding Subsections (c-1) and (c-2), as follows:

(c-1) Provides that except as provided by Subsection (c-2), any document or information collected during a security audit conducted under Subsection (b) (relating to a school district being required to conduct a security audit at certain times) is not subject to disclosure under Chapter 552 (Public Information), Government Code.

(c-2) Provides that a document relating to a school district's multihazard emergency operation plan is subject to disclosure if the document enables a person to verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency,

including local emergency services agencies, law enforcement agencies, and fire departments;

(2) verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the four phases of emergency management under Subsection (a) (relating to the requirement that each school district adopt and implement a multihazard emergency operations plan for use in district schools that provides for certain activities);

(4) verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;

(5) verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

(6) verify that the district has established a plan for responding to a train derailment if required under Subsection (d) (relating to the requirement that a school district include a policy for responding to a train derailment near district school in its multihazard emergency operations plan);

(7) verify that the district has completed a security audit under Subsection (b) and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the school board;

(8) verify that the district has addressed any recommendations by the district's board of trustees for improvement of the plan and determine the district's progress within the last 12 months; and

(9) verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

SECTION 1.02. Amends Section 418.004(1), Government Code, to redefine "disaster."

SECTION 1.03. Amends Section 418.005, Government Code, by amending Subsections (a) and (b) and adding Subsection (h), as follows:

(a) Provides that this section applies only to an elected law enforcement officer or county judge, or an appointed public officer of the state or of a political subdivision, rather than only an appointed public officer, who has management responsibilities or who plays a role in emergency preparedness, response, or recovery.

(b) Makes conforming changes.

(h) Requires the Texas Engineering Extension Service of The Texas A&M University System (TEEX), with the direction, oversight, and approval of the division of emergency management of the office of the governor (GDEM), to implement online courses and secure continuing education credits for elected or appointed officials, volunteers, or employees requested to attend training or required under Subsection (b) to attend training. Provides that training under this subsection is optional for volunteers.

SECTION 1.04. Amends Section 418.013, Government Code, by amending Subsection (b) and adding Subsection (d), as follows:

(b) Sets forth the composition of the emergency management council (council).

(d) Requires the council to assist GDEM in identifying, mobilizing, and deploying state resources to respond to major emergencies and disasters throughout the state.

SECTION 1.05. Amends Section 418.042(a), Government Code, to authorize the comprehensive state emergency management plan required to be maintained by GDEM to include provisions for providing information to, rather than education and training of, local officials on activation of the Emergency Alert System established under 47 C.F.R. Part 11; and a database of public facilities that are authorized to be used under Section 418.017 (Use of Public and Private Resources) to shelter individuals during a disaster, including air-conditioned facilities for shelter during an extreme heat disaster and fortified structures for shelter during a wind disaster. Makes nonsubstantive changes.

SECTION 1.06. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.0425, as follows:

Sec. 418.0425. STATE EMERGENCY MANAGEMENT PLAN ANNEX. (a) Defines "critical water or wastewater facility."

(b) Requires GDEM, in cooperation with the emergency management council, local governments, regional entities, health and medical facilities, volunteer groups, private sector partners, the Federal Emergency Management Agency (FEMA), and other federal agencies, to develop an annex to the state emergency management plan that addresses initial response planning for providing essential population support supplies, equipment, and services during the first five days immediately following a disaster. Sets forth certain required provisions.

(c) Requires GDEM, in coordination with the Texas Commission on Environmental Quality (TCEQ) and electric, gas, water, and wastewater utility providers, to develop for inclusion in the annex to the state emergency management plan provisions to provide emergency or backup power to restore or continue the operation of critical water or wastewater facilities following a disaster. Requires that the provisions establish an online resource database of available emergency generators configured for transport that are capable of providing backup power for critical water or wastewater facilities following a disaster; include procedures for the maintenance, activation, transportation, and redeployment of available emergency generators; develop a standardized form for use by a water or wastewater utility provider in developing and maintaining data on the number and type of emergency generators required for the operation of the provider's critical water or wastewater facilities following a disaster; and include procedures for water or wastewater utility providers to maintain a current list of generators available in surrounding areas through mutual aid agreements and through commercial firms offering generators for rent or lease.

SECTION 1.07. Amends Section 418.043, Government Code, as follows:

Sec. 418.043. OTHER POWERS AND DUTIES. Requires GDEM to follow certain procedures pertaining to emergency management, including developing a plan to raise public awareness and expand the capability of the information and referral network under Section 531.0312 (Texas Information and Referral Network); improving the integration of volunteer groups, including faith-based organizations, into emergency management plans; cooperating with FEMA to create uniform guidelines for acceptable home repairs following disasters and promote public awareness of the guidelines; cooperating with state agencies to encourage the public to participate in volunteer emergency response teams and organizations that respond to disasters, and provide information on those programs in state disaster preparedness and educational materials and on Internet websites; and establishing a liability awareness program for volunteers, including medical professionals. Makes nonsubstantive changes.

SECTION 1.08. Amends Section 418.045, Government Code, as follows:

Sec. 418.045. TEMPORARY PERSONNEL. (a) Creates this subsection from existing text.

(b) Authorizes GDEM to enroll, organize, train, and equip a cadre of disaster reservists with specialized skills in disaster recovery, hazard mitigation, community outreach, and public information to temporarily augment its permanent staff. Authorizes GDEM to activate enrolled disaster reservists to support recovery operations in the aftermath of a disaster or major emergency and pay them at a daily rate commensurate with their qualifications and experience. Provides that Chapter 654 (Position Classification), Chapter 2254 (Professional and Consulting Services), and Subtitle D (State Purchasing and General Services), Title 10 (General Government), do not apply in relation to a disaster reservist under this subsection.

SECTION 1.09. Amends Section 418.048, Government Code, as follows:

Sec. 418.048. New heading: MONITORING WEATHER. Deletes existing text requiring GDEM, if it determines that precipitation that may result from weather modification operations, either by itself or in conjunction with other precipitation or climatic conditions or activity, would create or contribute to the severity of a disaster, to request in the name of the governor that the officer or agency empowered to issue permits for weather modification operations suspend the issuance of permits. Provides that, on the governor's request, no permits are authorized to be issued until GDEM informs the officer or agency that the danger has passed.

SECTION 1.10. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.050, as follows:

Sec. 418.050. PHASED REENTRY PLAN. (a) Requires GDEM to develop a phased reentry plan to govern the order in which particular groups of people are allowed to reenter areas previously evacuated because of a disaster or threat of disaster. Authorizes the plan to provide different reentry procedures for different types of disasters.

(b) Requires that the phased reentry plan recognize the role of local emergency management directors in making decisions regarding the timing and implementation of reentry plans for a disaster, and provide local emergency management directors with sufficient flexibility to adjust the plan as necessary to accommodate the circumstances of a particular emergency.

(c) Requires GDEM, in consultation with representatives of affected parties and local emergency management directors, to develop a reentry credentialing process. Requires GDEM to include the credentialing process in the phased reentry plan. Requires the Department of Public Safety of the State of Texas (DPS) to provide support for the credentialing process.

SECTION 1.11. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.051, as follows:

Sec. 418.051. COMMUNICATIONS COORDINATION GROUP. (a) Requires the communications coordination group (group) to facilitate interagency coordination and collaboration to provide efficient and effective planning and execution of communications support to joint, interagency, and intergovernmental task forces.

(b) Requires the group, at the direction of GDEM, to assist with coordination and collaboration during an emergency.

(c) Provides that the group consists of members selected by GDEM, including representatives of the Texas military forces; DPS; FEMA; federal agencies that comprise Emergency Support Function No. 2; the telecommunications industry, including cable service providers, as defined by Section 66.002, Utilities Code; electric utilities, as defined by Section 31.002, Utilities Code; gas utilities, as defined by Sections 101.003 and 121.001, Utilities Code; the National Guard's Joint Continental United States Communications Support Environment; the National Guard Bureau; amateur radio operator groups; the Texas Forest Service;

the Texas Department of Transportation; the General Land Office; TEEEX; the Public Utility Commission of Texas (PUC); the Railroad Commission of Texas; the Department of State Health Services (DSHS); the judicial branch of state government; the Texas Association of Regional Councils; the United States Air Force Auxiliary Civil Air Patrol, Texas Wing; each trauma service area regional advisory council; state agencies, counties, and municipalities affected by the emergency; and other agencies as determined by GDEM.

SECTION 1.12. Amends Section 418.1015, Government Code, by adding Subsection (d), to prohibit a person, other than an emergency management director exercising under Subsection (b) (relating to the provision that an emergency management director serves as the governor's designated agent in the administration and supervision of duties) a power granted to the governor, from seizing state or federal resources without prior authorization from GDEM or the state or federal agency having responsibility for those resources.

SECTION 1.13. Amends Section 418.107(b), Government Code, to delete existing text requiring that the functioning of the units be coordinated by the council.

SECTION 1.14. Amends Section 418.108(d), Government Code, as follows:

(d) Provides that a declaration of local disaster activates the appropriate recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. Provides that the appropriate preparedness and response aspects of the plans are activated as provided in the plans and take effect immediately after the local state of disaster is declared.

SECTION 1.15. Amends Section 418.117, Government Code, as follows:

Sec. 418.117. LICENSE PORTABILITY. Provides that if the assistance of a person who holds a license, certificate, permit, or other document evidencing qualification in a professional, mechanical, or other skill is requested by a state agency or local government entity under the system, the person is considered licensed, certified, permitted, or otherwise documented in the political subdivision in which the service is provided as long as the service is required, subject to any limitations imposed by the chief executive officer or the governing body of the requesting state agency or local government entity.

SECTION 1.16. Amends Section 418.172(b), Government Code, to authorize an agency, if sufficient funds are not available for the required insurance, to request funding from the disaster contingency fund to purchase the insurance, rather than authorize an agency to petition the disaster emergency funding board (board) to purchase the insurance on the agency's behalf. Deletes existing text authorizing the board to spend money from that fund for that purpose.

SECTION 1.17. Amends Subchapter H, Chapter 418, Government Code, by adding Sections 418.185, 418.188, 418.1881, 418.1882, 418.190, and 418.191, as follows:

Sec. 418.185. MANDATORY EVACUATION. (a) Provides that this section does not apply to a person who is authorized to be in an evacuated area, including a person who returns to the area under a phased reentry plan or reentry credentialing process under Section 418.050.

(b) Authorizes a county judge or mayor of a municipality who orders the evacuation of an area stricken or threatened by a disaster by order to compel persons who remain in the evacuated area to leave and authorize the use of reasonable force to remove persons from the area.

(c) Authorizes the governor and a county judge or mayor of a municipality who orders the evacuation of an area stricken or threatened by a disaster by a concurrent order to compel persons who remain in the evacuated area to leave.

(d) Provides that a person is civilly liable to a governmental entity, or a nonprofit agency cooperating with a governmental entity, that conducts a rescue on a person's behalf for the cost of the rescue effort if the person knowingly ignored a mandatory evacuation order under this section and engaged in an activity or course of action that a reasonable person would not have engaged in, or failed to take a course of action a reasonable person would have taken; the person's actions under this subsection placed the person or another person in danger; and a governmental rescue effort was undertaken on the person's behalf.

(e) Provides that an officer or employee of the state or a political subdivision who issues or is working to carry out a mandatory evacuation order under this section is immune from civil liability for any act or omission within the course and scope of the person's authority under the order.

Sec. 418.188. **POSTDISASTER EVALUATION.** Requires a state agency, political subdivision, or interjurisdictional agency, not later than the 90th day after the date a request is received from GDEM, to conduct an evaluation of the entity's response to a disaster, identify areas for improvement, and issue a report of the evaluation to GDEM.

Sec. 418.1881. **SHELTER OPERATIONS.** Requires DSHS, with the direction, oversight, and approval of GDEM, to develop an annex to the state emergency management plan that includes provisions for developing medical special needs categories, categorizing the requirements of individuals with medical special needs, and establishing minimum health-related standards for short-term and long-term shelter operations for shelters operated with state funds or receiving state assistance.

Sec. 418.1882. **PERSONNEL SURGE CAPACITY PLANNING.** (a) Requires health care facilities, county officials, trauma service area regional advisory councils, and other appropriate entities, each council of government, regional planning commission, or similar regional planning agency created under Chapter 391 (Regional Planning Commissions), Local Government Code, with the direction, oversight, and approval of GDEM and the assistance of DSHS, to develop a regional plan for personnel surge capacity during disasters, including plans for providing lodging and meals for disaster relief workers and volunteers.

(b) Requires entities developing regional plans for personnel surge capacity with regard to lodging to consult with representatives of emergency responders, infrastructure and utility repair personnel, and other representatives of agencies, entities, or businesses determined by GDEM to be essential to the planning process.

Sec. 418.190. **AGRICULTURE EMERGENCY RESPONSE PLAN.** (a) Requires the Texas Department of Agriculture (TDA) and the Texas Animal Health Commission (TAHC), in conjunction with GDEM, to prepare and keep current an agriculture emergency response plan as an annex to the state emergency management plan. Requires the plan to include provisions for identifying and assessing necessary training, resource, and support requirements; and providing information on recovery, relief, and assistance requirements following all types of disasters, including information on biological and radiological response; and all other information TDA and TAHC determine to be relevant to prepare for an all-hazards approach to agricultural disaster management.

(b) Requires TDA and TAHC to include the plan developed under Subsection (a) in an annual report to the legislature and the office of the governor.

Sec. 418.191. **MEDICAL SPECIAL NEEDS VOLUNTEERS.** (a) Requires an entity responsible for the care of individuals with medical special needs to develop and distribute information on volunteering in connection with a disaster.

(b) Requires GDEM to provide information to interested parties and the public regarding how volunteers can be identified and trained to help all groups of

people, including those with medical special needs and those who are residents of assisted living facilities.

SECTION 1.18. Amends Subchapter B, Chapter 242, Health and Safety Code, by adding Section 242.0395, as follows:

Sec. 242.0395. REGISTRATION WITH TEXAS INFORMATION AND REFERRAL NETWORK. (a) Requires an institution licensed under this chapter to register with the Texas Information and Referral Network (network) under Section 531.0312 (Texas Information and Referral Network), Government Code, to assist the state in identifying persons needing assistance if an area is evacuated because of a disaster or other emergency.

(b) Provides that the institution is not required to identify individual residents who may require assistance in an evacuation or to register individual residents with the network for evacuation assistance.

(c) Requires the institution to notify each resident and the resident's next of kin or guardian regarding how to register for evacuation assistance with the network.

SECTION 1.19. Amends Subchapter B, Chapter 247, Health and Safety Code, by adding Section 247.0275, as follows:

Sec. 247.0275. REGISTRATION WITH TEXAS INFORMATION AND REFERRAL NETWORK. (a) Requires an assisted living facility licensed under this chapter to register with the network under Section 531.0312, Government Code, to assist the state in identifying persons needing assistance if an area is evacuated because of a disaster or other emergency.

(b) Provides that the assisted living facility is not required to identify individual residents who may require assistance in an evacuation or to register individual residents with the network for evacuation assistance.

(c) Requires the assisted living facility to notify each resident and the resident's next of kin or guardian regarding how to register for evacuation assistance with the network.

SECTION 1.20. Amends Sections 541.201(1) and (13-a), Transportation Code, to redefine "authorized emergency vehicle" and "police vehicle."

SECTION 1.21. Amends Section 545.421(b), Transportation Code, to require that the officer's vehicle bear the insignia of a law enforcement agency, regardless of whether the vehicle displays an emergency light, rather than be appropriately marked as an official police vehicle.

SECTION 1.22. Repealer: Section 418.072 (Disaster Emergency Funding Board), Government Code.

SECTION 1.23. Provides that on the effective date of this Act, the disaster emergency funding board is abolished.

SECTION 1.24. Makes application of Section 418.005, Government Code, as amended by this Act, prospective.

SECTION 1.25. Makes application of Sections 37.108(c-1) and (c-2), Education Code, as added by this Act, prospective.

SECTION 1.26. (a) Requires GDEM, not later than the 30th day after the effective date of this section, to issue a report to the legislature regarding the implementation of medical special needs plans in connection with Hurricane Ike, including identification, evacuation, transportation, shelter, care, and reentry during the period ending on the 30th day after the conclusion of the disaster. Requires DSHS to cooperate in the preparation of the report.

(b) Effective date, Subsection (a) of this section: upon passage or September 1, 2009.

ARTICLE 2. EMERGENCY ELECTRICAL POWER

SECTION 2.01. Amends Chapter 38, Utilities Code, by adding Subchapter E, as follows:

SUBCHAPTER E. INFRASTRUCTURE IMPROVEMENT AND MAINTENANCE REPORT

Sec. 38.101. REPORT ON INFRASTRUCTURE IMPROVEMENT AND MAINTENANCE. (a) Requires each electric utility, not later than May 1 of each year, to submit to PUC a report describing the utility's activities related to identifying areas that are susceptible to damage during severe weather and hardening transmission and distribution facilities in those areas; vegetation management; and inspecting distribution poles.

(b) Requires each electric utility to include in a report required under Subsection (a) a summary of the utility's activities related to preparing for emergency operations.

SECTION 2.02. Requires PUC to adopt rules consistent with Subchapter E, Chapter 38, Utilities Code, as added by this Act, not later than October 1, 2009.

ARTICLE 3. HEALTH AND SAFETY PROVISIONS

SECTION 3.01. Amends Section 251.012, Health and Safety Code, as follows:

Sec. 251.012. EXEMPTIONS FROM LICENSING REQUIREMENT. Creates Subdivision (A) from existing text. Provides that a hospital licensed under Chapter 241 (Hospitals) that provides dialysis only to individuals receiving outpatient services due to a disaster declared by the governor or a federal disaster declared by the president of the United States occurring in this state or another state during the term of the disaster declaration are not required to be licensed under this chapter.

SECTION 3.02. Amends Subtitle B, Title 8, Health and Safety Code, by adding Chapter 695, as follows:

CHAPTER 695. IN-CASKET IDENTIFICATION

Sec. 695.001. DEFINITIONS. Defines "casket" and "commission."

Sec. 695.002. IDENTIFICATION OF DECEASED PERSON. Requires the Texas Funeral Service Commission (TFSC) to ensure a casket contains identification of the deceased person, including the person's name, date of birth, and date of death.

Sec. 695.003. RULES. Authorizes TFSC to adopt rules to enforce this chapter.

SECTION 3.03. Makes application of Section 251.012, Health and Safety Code, as amended by this Act, prospective.

ARTICLE 4. PROVISIONS RELATED TO CERTAIN PUBLIC EMPLOYEES

SECTION 4.01. Amends Subchapter B, Chapter 659, Government Code, by adding Section 659.025, as follows:

Sec. 659.025. USE OF COMPENSATORY TIME BY CERTAIN EMERGENCY SERVICES PERSONNEL; OPTIONAL OVERTIME PAYMENT. (a) Defines "emergency services personnel."

(b) Provides that this section applies only to a state employee who is emergency services personnel, who is not subject to the overtime provisions of the federal

Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.), and who is not an employee of the legislature, including an employee of the lieutenant governor or of a legislative agency.

(c) Authorizes an employee to whom this section applies, notwithstanding Section 659.016 (Overtime Compensation for Employees Not Subject to Fair Labor Standards Act; Reductions in Pay) or any other law, to be allowed to take compensatory time off during the 18-month period following the end of the workweek in which the compensatory time was accrued.

(d) Authorizes the administrative head of a state agency that employs an employee to whom this section applies, notwithstanding Section 659.016 or any other law, to pay the employee overtime at the employee's regular hourly salary rate for all or part of the hours of compensatory time off accrued by the employee during a declared disaster in the preceding 18-month period. Requires the administrative head to reduce the employee's compensatory time balance by one hour for each hour the employee is paid overtime under this section.

SECTION 4.02. Amends Subchapter H, Chapter 660, Government Code, by adding Section 660.209, as follows:

Sec. 660.209. STATE EMERGENCY SERVICES PERSONNEL. (a) Defines "emergency services personnel."

(b) Entitles a state employee who is emergency services personnel and who is deployed to a temporary duty station to conduct emergency or disaster response activities, notwithstanding any other provision of this chapter or the General Appropriations Act, to reimbursement for the actual expense of lodging when there is no room available at the state rate within reasonable proximity to the employee's temporary duty station.

SECTION 4.03. Amends Section 161.0001(1-a), Health and Safety Code, to redefine "first responder."

ARTICLE 5. JUDICIAL PREPAREDNESS

SECTION 5.01. Amends Subchapter A, Chapter 22, Government Code, by adding Section 22.0035, as follows:

Sec. 22.0035. MODIFICATION OR SUSPENSION OF CERTAIN PROVISIONS RELATING TO COURT PROCEEDINGS AFFECTED BY DISASTER. (a) Defines "disaster."

(b) Authorizes the supreme court, notwithstanding any other statute, to modify or suspend procedures for the conduct of any court proceeding affected by a disaster during the pendency of a disaster declared by the governor. Prohibits an order under this section from being extended for more than 30 days from the date the order was signed unless renewed by the supreme court.

(c) Authorizes the chief justice of the supreme court, if a disaster prevents the supreme court from acting under Subsection (b), to act on behalf of the supreme court under that subsection.

(d) Authorizes the court of criminal appeals, if a disaster prevents the chief justice from acting under Subsection (c), to act on behalf of the supreme court under Subsection (b).

(e) Authorizes the presiding judge of the court of criminal appeals, if a disaster prevents the court of criminal appeals from acting under Subsection (d), to act on behalf of the supreme court under Subsection (b).

SECTION 5.02. Amends Section 74.093(c), Government Code, to authorize the rules to provide for a coordinated response for the transaction of essential judicial functions in the event of a disaster. Creates division (3) from existing text. Makes a nonsubstantive change.

SECTION 5.03. Amends Section 418.002, Government Code, to include among the purposes of this chapter to clarify and strengthen the roles of the judicial branch of state government in prevention of, preparation for, response to, and recovery from disasters.

SECTION 5.04. Effective date, this article: upon passage or September 1, 2009.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Effective date, except as otherwise provided by this Act: September 1, 2009.