

## **BILL ANALYSIS**

C.S.H.B. 2507  
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Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In preparation for Hurricane Ike, 64,000 residents of Galveston were evacuated to other parts of Texas. The Department of Public Safety (DPS), first responders, and many other organizations were called on to assist in the evacuation process. In September 2007, Operation Border Star was initiated and involved efforts of law enforcement agencies from around the state to assist with border security. These events brought together many different emergency personnel from all over Texas to serve Texans at great personal risk. However, both of these events have made it apparent that the technology and instruments used for communication among emergency response agencies and their respective personnel are not compatible. As a result, many officers and responders are isolated without the technology needed to communicate with other responders. It is necessary to provide a centralized communication system for these Texas public servants and to protect and provide them with tools to be effective and efficient as emergency response providers.

C.S.H.B. 2507 creates the interoperable statewide emergency radio infrastructure to be funded by fees collected by the comptroller of public accounts on the conviction of a criminal offense. The bill dedicates the fees collected to be used only for the planning, development, provision, enhancement, or ongoing maintenance of the interoperable statewide emergency radio infrastructure.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

C.S.H.B. 2507 amends the Local Government Code to require the comptroller of public accounts to allocate 23.2330 percent of the court costs collected on the conviction of a criminal offense to the emergency radio infrastructure account. The bill removes the operator's and chauffeur's license and the fugitive apprehension account from the list of accounts and funds to which the comptroller is required to allocate the court costs collected on the conviction of a criminal offense.

C.S.H.B. 2507 amends the Health and Safety Code to authorize fees collected by the comptroller and allocated to the emergency radio infrastructure account to only be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure; used in accordance with the state communications interoperability plan; used for the development of a regional or state interoperable radio communication system; or distributed as grants by the Commission on State Emergency Communications to regional councils of government that have entered into interlocal agreements authorized under state law and to state agencies requiring emergency radio communications infrastructure. The bill prohibits fees collected and distributed for emergency radio infrastructure purposes from being used to purchase or maintain radio subscriber equipment.

C.S.H.B. 2507 provides that the emergency radio infrastructure account is an account in the general revenue fund and that the account consists of fees collected on the conviction of a criminal offense and deposited by the comptroller into the fund and all interest attributable to money held in the account. The bill authorizes the money in the account to be appropriated to the commission for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure and to the Department of Public Safety for communications interoperability and other public safety services. The bill makes state law on the use of dedicated revenue inapplicable to the account.

C.S.H.B. 2507 defines "emergency radio infrastructure."

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2507 differs from the original by authorizing a portion of certain fees collected by the comptroller of public accounts on the conviction of a criminal offense to be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure, whereas the original establishes a separate emergency radio infrastructure fee for those purposes, and by making conforming changes. The substitute removes provisions from the original relating to the imposition and collection of the separate emergency radio infrastructure fee.

C.S.H.B. 2507 adds a provision not in the original authorizing the money in the emergency radio infrastructure account to be appropriated to the Department of Public Safety for communications interoperability and other public safety services.

C.S.H.B. 2507 adds provisions not in the original providing for the allocation of 23.2330 percent of the court costs collected on the conviction of a criminal offense to the emergency radio infrastructure account and removing the operator's and chauffer's license and the fugitive apprehension account from the list of accounts and funds to which the comptroller is required to allocate such court costs.