

## **BILL ANALYSIS**

Senate Research Center  
81R2679 BEF-F

S.B. 664  
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Government Organization  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, there is no centralized database for essential building information that can be accessed by first responders in the event of an emergency.

As proposed, S.B. 664 establishes a statewide public building mapping information system for the purpose of storing information related to public buildings in an electronic format that will be readily accessible to first responders in the event of an emergency.

The bill requires the Texas Facilities Commission (TFC) to create an advisory committee of stakeholders who will make recommendations regarding standards and information transmittal. The bill requires TFC to pursue federal funds for the program and develop grants for the mapping of all state and local government buildings.

S.B. 664 provides that no state or local government agency is required to map a building unless funding is provided by the agency administering the program or from other sources. In addition, if a local government is already utilizing a similar system, it will not be required to transition over to the state system unless the state provides funds for that transfer.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Facilities Commission in SECTION 1 (Section 2152.155, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 2152, Government Code, by adding Subchapter D, as follows:

#### **SUBCHAPTER D. PUBLIC BUILDING MAPPING INFORMATION SYSTEM**

Sec. 2152.151. DEFINITIONS. Defines "committee," "first responder," "maps and other information," "public agency," and "public building."

Sec. 2152.152. INFORMATION SYSTEM. (a) Requires the Texas Facilities Commission (TFC), with the advice of the Public Building Mapping Information System Committee (committee), to establish and operate a statewide public building mapping information system for the purpose of storing information related to public buildings in an electronic format that will be readily accessible to first responders in the event of an emergency.

(b) Requires TFC, subject to available funding, with the advice of the committee, to develop a plan to create or obtain, as appropriate, certain information relating to public buildings for the purpose of storing the information in the public building mapping information system (mapping system).

Sec. 2152.153. SOFTWARE STANDARDS AND FORMAT REQUIREMENTS. (a) Requires TFC, with the advice of the committee, to develop software standards and format requirements for the creation and storage of maps and other information by all public agencies, and authorizes TFC to refuse to accept for storage in the system any submitted maps and other information that do not comply with the software standards or format required by TFC.

(b) Authorizes a local government, if, before the establishment of the public building mapping information system under this subchapter, a local government establishes an independent building mapping system or creates or stores maps and other information using software standards and format requirements other than those established under Subsection (a), to continue to use its independent building mapping system and unique software standards and format until TFC provides funding necessary to modify the local government's information system to achieve compatibility with the standards and format requirements established by TFC under Subsection (a).

Sec. 2152.154. SUBMISSION OF INFORMATION. (a) Requires each public agency that creates or stores maps and other information to submit the maps and other information to TFC for storage in the mapping system. Provides that a public agency is not required to create or store maps and other information related to buildings owned or occupied by the agency unless funding for all of the public agency's costs related to that purpose is provided by TFC or another entity.

(b) Authorizes a private entity that creates or stores maps and other information to voluntarily provide the maps and other information to TFC for storage in the mapping system.

Sec. 2152.155. COMMITTEE. (a) Provides that the committee is an advisory entity administered by TFC.

(b) Authorizes TFC to adopt rules necessary for the operation of the committee.

(c) Provides that the committee is composed of one representative of each of certain entities, appointed by the administrative head of the entity.

(d) Requires the committee to develop recommendations for TFC with respect to the information required to be included in the mapping system; the software standards and required format for maps and other information to be included in the mapping system; a plan for the creation and storage of maps and other information that, based on the availability of funding, specifies the order in which the information is required to be created and stored; the manner in which information in the mapping system is required to be accessed, including detailed procedures and security systems that will ensure information is made available only to appropriate persons at appropriate times; and guidelines for training related to the use of the mapping system.

Sec. 2152.156. AVAILABILITY OF INFORMATION. Requires TFC, with the advice of the committee, to develop procedures for the release of information in the mapping system to first responders in the event of an emergency.

Sec. 2152.157. ACCESS TO INFORMATION. Provides that this subchapter does not apply to the extent that it interferes with the ability of a public agency to control and maintain access to information in an information system other than the mapping system.

Sec. 2152.158. FUNDING. Requires TFC to apply for federal funding available for purposes related to this subchapter. Requires TFC, if TFC obtains a federal grant for public building mapping, to use the grant to establish and maintain the mapping system under this subchapter, and administer grants to other public agencies in accordance with federal and state guidelines to assist with the creation and storage of maps and other information according to the plan developed by TFC with the advice of the committee.

Sec. 2152.159. EXCEPTION FROM PUBLIC INFORMATION LAW. Provides that information received and maintained by TFC under this subchapter is excepted from required disclosure under the public information law, Chapter 552 (Public Information).

Sec. 2152.160. LOCAL GOVERNMENT IMMUNITY. Provides that a local government and its employees are immune from civil liability for any act or omission relating to the creation and use of the mapping system under this subchapter, unless the act or omission is grossly negligent or done in bad faith.

SECTION 2. (a) Requires TFC to develop software standards and format requirements in accordance with Section 2152.153, Government Code, as added by this Act, not later than December 1, 2009.

(b) Provides that a public agency is not required to comply with the software standards and format requirements required by Section 2152.153, Government Code, as added by this Act, until the software standards and format requirements are developed by TFC.

SECTION 3. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2009.

(b) Effective date, Section 2152.154(a), Government Code: March 1, 2010.