

By: Ortiz, Jr., Alonzo

H.B. No. 1556

A BILL TO BE ENTITLED

AN ACT

relating to local public health and public safety alerts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 418, Government Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. LOCAL PUBLIC HEALTH AND PUBLIC SAFETY ALERTS

Sec. 418.190. DEFINITIONS. In this subchapter:

(1) "Emergency management director" means a person designated to serve as emergency management director under Section 418.1015.

(2) "Health authority" has the meaning assigned by Section 81.003, Health and Safety Code.

Sec. 418.191. LOCAL PUBLIC HEALTH AND PUBLIC SAFETY ALERTS.

With the cooperation of the Texas Department of Transportation and emergency management directors, the division shall develop and implement a system for municipalities and counties to issue local public health and public safety alerts through an existing system of dynamic message signs. The local public health and public safety alerts may include public service messages provided to motorists:

(1) during a severe weather advisory;

(2) during an evacuation that has been ordered; or

(3) following a declaration of a state of disaster issued under this chapter.

Sec. 418.192. ADMINISTRATION. (a) The division shall

1 coordinate the local public health and public safety alert system.

2 (b) The division shall adopt standards as necessary to
3 ensure proper implementation of the alert system. The standards
4 must address:

5 (1) the procedures to be used by a health authority to
6 verify a threat to public health within the health authority's
7 jurisdiction;

8 (2) the procedures to be used by a local law
9 enforcement agency to verify a threat to public safety within the
10 agency's jurisdiction; and

11 (3) the procedures to be used by an individual or
12 entity to report information about a threat to public health or
13 public safety.

14 (c) The division shall prescribe forms for use by an
15 emergency management director for a municipality or county in
16 requesting activation of the alert system.

17 Sec. 418.193. DUTIES OF TEXAS DEPARTMENT OF TRANSPORTATION.

18 (a) The Texas Department of Transportation shall:

19 (1) cooperate with the division and emergency
20 management directors and assist in developing and implementing the
21 alert system; and

22 (2) establish a plan for providing relevant
23 information to the public in affected areas of the state through an
24 existing system of dynamic message signs.

25 (b) The Texas Department of Transportation may coordinate
26 the implementation of its duties under this subchapter with the
27 implementation of the silver alert system under Subchapter M,

1 Chapter 411.

2 (c) The Texas Department of Transportation shall coordinate
3 with the division to determine additional methods of disseminating
4 local public health and safety alerts under Section 418.191, AMBER
5 alerts under Subchapter L, Chapter 411, and silver alerts under
6 Subchapter M, Chapter 411, using existing resources.

7 Sec. 418.194. NOTIFICATION TO DIVISION OF LOCAL THREAT TO
8 PUBLIC HEALTH OR PUBLIC SAFETY. (a) An emergency management
9 director may notify the division if the emergency management
10 director receives notice from:

11 (1) a health authority of a verified threat to public
12 health within the health authority's jurisdiction; or

13 (2) a local law enforcement agency of a verified
14 threat to public safety within the agency's jurisdiction.

15 (b) The emergency management director must determine that
16 the information provided by a health authority or a local law
17 enforcement agency poses a credible threat to the municipality or
18 county.

19 Sec. 418.195. ACTIVATION. (a) On the request of an
20 emergency management director, the division shall activate the
21 alert system and notify appropriate participants in the alert
22 system.

23 (b) The division shall send the alert to designated media
24 outlets in the area affected by the public health or public safety
25 threat. Following receipt of the alert, participating media
26 outlets may issue the alert at designated intervals.

27 Sec. 418.196. CONTENT OF LOCAL PUBLIC HEALTH OR PUBLIC

1 SAFETY ALERT. A local public health or public safety alert must
2 include:

3 (1) all appropriate information that is provided by
4 the emergency management director; and

5 (2) information on whom an individual in the affected
6 area can contact for more information.

7 Sec. 418.197. TERMINATION OF LOCAL PUBLIC HEALTH OR PUBLIC
8 SAFETY ALERT. (a) The division shall terminate any activation of
9 the alert with respect to a local public health or public safety
10 alert not later than the earlier of the time at which:

11 (1) the local public health or public safety threat is
12 resolved; or

13 (2) the notification period ends, as determined by
14 standards adopted by the division.

15 (b) An emergency management director that requests
16 activation of the alert system under this subchapter shall notify
17 the division as soon as possible that the local public health or
18 public safety threat is resolved.

19 SECTION 2. This Act takes effect September 1, 2009.