

By: Ortiz, Jr.

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) "Department" means the Department of Public Safety of the State of Texas.

(2) "Director" means the public safety director.

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

(4) "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 department 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.

Sec. 418.192. ADMINISTRATION. (a) The director is the statewide coordinator of the local public health and public safety alert system.

1 (b) The director shall adopt rules and issue directives as
2 necessary to ensure proper implementation of the alert system. The
3 rules and directives must include:

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

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

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

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

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

17 (a) The Texas Department of Transportation shall:

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

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

24 (b) The Texas Department of Transportation may coordinate
25 the implementation of its duties under this subchapter with the
26 implementation of the silver alert system under Subchapter M,
27 Chapter 411.

1 Sec. 418.194. NOTIFICATION TO DEPARTMENT OF LOCAL THREAT TO
2 PUBLIC HEALTH OR PUBLIC SAFETY. (a) An emergency management
3 director may notify the department if the emergency management
4 director receives notice from:

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

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

9 (b) The emergency management director must determine that
10 the information provided by a health authority or a local law
11 enforcement agency poses a credible threat to the municipality or
12 county.

13 Sec. 418.195. ACTIVATION. (a) On the request of an
14 emergency management director, the department shall activate the
15 alert system and notify appropriate participants in the alert
16 system.

17 (b) The department shall send the alert to designated media
18 outlets in the area affected by the public health or public safety
19 threat. Following receipt of the alert, participating media
20 outlets may issue the alert at designated intervals.

21 Sec. 418.196. CONTENT OF LOCAL PUBLIC HEALTH OR PUBLIC
22 SAFETY ALERT. A local public health or public safety alert must
23 include:

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

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

1 Sec. 418.197. TERMINATION OF LOCAL PUBLIC HEALTH OR PUBLIC
2 SAFETY ALERT. (a) The director shall terminate any activation of
3 the alert with respect to a local public health or public safety
4 alert not later than the earlier of the time at which:

5 (1) the local public health or public safety threat is
6 resolved; or

7 (2) the notification period ends, as determined by
8 department rule.

9 (b) An emergency management director that requests
10 activation of the alert system under this subchapter shall notify
11 the department as soon as possible that the local public health or
12 public safety threat is resolved.

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