

By: Taylor, Eiland

H.B. No. 4409

Substitute the following for H.B. No. 4409:

By: Pickett

C.S.H.B. No. 4409

A BILL TO BE ENTITLED

AN ACT

relating to emergency preparation and management.

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

SECTION 1. Subchapter A, Chapter 418, Government Code, is amended by adding Section 418.006 to read as follows:

Sec. 418.006. CIVIL LIABILITY. An officer or employee of a state or local agency, or a volunteer acting at the direction of an officer or employee of a state or local agency, is considered for purposes of Section 431.085 to be a member of the state military forces ordered into active service of the state by proper authority and is considered to be discharging a duty in that capacity if the person is performing an activity related to sheltering or housing individuals in connection with the evacuation of an area stricken or threatened by disaster.

SECTION 2. Section 418.043, Government Code, is amended to read as follows:

Sec. 418.043. OTHER POWERS AND DUTIES. The division shall:

(1) determine requirements of the state and its political subdivisions for food, clothing, and other necessities in event of a disaster;

(2) procure and position supplies, medicines, materials, and equipment;

(3) adopt standards and requirements for local and interjurisdictional emergency management plans;

1           (4) periodically review local and interjurisdictional  
2 emergency management plans;

3           (5) coordinate deployment of mobile support units;

4           (6) establish and operate training programs and  
5 programs of public information or assist political subdivisions and  
6 emergency management agencies to establish and operate the  
7 programs;

8           (7) make surveys of public and private industries,  
9 resources, and facilities in the state that are necessary to carry  
10 out the purposes of this chapter;

11          (8) plan and make arrangements for the availability  
12 and use of any private facilities, services, and property and  
13 provide for payment for use under terms and conditions agreed on if  
14 the facilities are used and payment is necessary;

15          (9) establish a register of persons with types of  
16 training and skills important in disaster mitigation,  
17 preparedness, response, and recovery;

18          (10) establish a register of mobile and construction  
19 equipment and temporary housing available for use in a disaster;

20          (11) assist political subdivisions in developing  
21 plans for the humane evacuation, transport, and temporary  
22 sheltering of service animals and household pets in a disaster;

23          (12) prepare, for issuance by the governor, executive  
24 orders and regulations necessary or appropriate in coping with  
25 disasters;

26          (13) cooperate with the federal government and any  
27 public or private agency or entity in achieving any purpose of this

1 chapter and in implementing programs for disaster mitigation,  
2 preparation, response, and recovery; ~~and~~

3 (14) define "individuals with special needs" in the  
4 context of a disaster; and

5 (15) do other things necessary, incidental, or  
6 appropriate for the implementation of this chapter.

7 SECTION 3. Subchapter F, Chapter 418, Government Code, is  
8 amended by adding Section 418.126 to read as follows:

9 Sec. 418.126. PRE-EVENT DISASTER RESPONSE CONTRACTS. (a)  
10 The General Land Office shall solicit proposals for and enter into  
11 one or more pre-event contracts that may be activated by the office  
12 in the event of a weather-related disaster declaration to obtain  
13 services for debris removal from beaches as needed following the  
14 disaster.

15 (b) The Texas Department of Transportation shall solicit  
16 proposals for and enter into one or more pre-event contracts that  
17 may be activated by the department in the event of a weather-related  
18 disaster declaration to obtain services for debris removal from the  
19 state highway system as needed following the disaster.

20 (c) The Texas Department of Housing and Community Affairs  
21 shall solicit proposals for and enter into one or more pre-event  
22 contracts that may be activated by the department in the event of a  
23 weather-related disaster declaration to obtain temporary or  
24 emergency housing as needed following the disaster.

25 (d) Services obtained under a pre-event contract under this  
26 section shall be paid for with money from the disaster contingency  
27 fund under Section 418.073.

1           SECTION 4. Not later than January 1, 2010, the relevant  
2 state agencies shall adopt the contracts required by Section  
3 418.126, Government Code, as added by this Act.

4           SECTION 5. This Act takes effect September 1, 2009.