

By: Taylor

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. Section 418.073, Government Code, is amended by
8 adding Subsection (e) to read as follows:

9 (e) Money in the fund may be used to pay for contract
10 services under Section 418.126.

11 SECTION 4. Subchapter F, Chapter 418, Government Code, is
12 amended by adding Section 418.126 to read as follows:

13 Sec. 418.126. DISASTER RESPONSE CONTRACTS. (a) The General
14 Land Office shall contract for debris removal from beaches
15 following a weather-related disaster.

16 (b) The Texas Department of Transportation shall contract
17 for debris removal from the state highway system following a
18 weather-related disaster.

19 (c) The Texas Department of Housing and Community Affairs
20 shall contract to provide temporary shelter or housing following a
21 weather-related disaster.

22 SECTION 5. Not later than January 1, 2010, the relevant
23 state agencies shall adopt the contracts required by Section
24 418.126, Government Code, as added by this Act.

25 SECTION 6. This Act takes effect September 1, 2009.