

1-1 By: Gallegos S.B. No. 664
1-2 (In the Senate - Filed February 3, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Government
1-4 Organization; April 24, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 24, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 664 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment and operation of a public building
1-11 mapping information system.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 418, Government Code, is amended by
1-14 adding Subchapter J to read as follows:

1-15 SUBCHAPTER J. PUBLIC BUILDING MAPPING INFORMATION SYSTEM

1-16 Sec. 418.251. DEFINITIONS. In this subchapter:

1-17 (1) "Committee" means the Public Building Mapping
1-18 Information System Committee under Section 418.255.

1-19 (2) "First responder" means:

1-20 (A) a public safety employee whose primary duties
1-21 include responding rapidly to an emergency as the first person to
1-22 arrive at the scene of the emergency;

1-23 (B) a person who is defined as fire protection
1-24 personnel under Section 419.021;

1-25 (C) a volunteer firefighter certified by the
1-26 Texas Commission on Fire Protection or the State Firemen's and Fire
1-27 Marshals' Association of Texas; or

1-28 (D) a peace officer or firefighter who provides
1-29 first responder services under an interlocal agreement.

1-30 (3) "Maps and other information" means the information
1-31 required by the division under Section 418.252(b).

1-32 (4) "Public agency" means the state or a political
1-33 subdivision of the state.

1-34 (5) "Public building" means any building owned or
1-35 occupied by a public agency.

1-36 Sec. 418.252. INFORMATION SYSTEM. (a) If funding is
1-37 available for the purpose, the division, with the advice of the
1-38 committee, shall establish and operate a statewide public building
1-39 mapping information system for the purpose of storing information
1-40 related to public buildings in an electronic format that will be
1-41 readily accessible to first responders in the event of an
1-42 emergency.

1-43 (b) Subject to available funding, the division, with the
1-44 advice of the committee, shall develop a plan to create or obtain,
1-45 as appropriate, the following information relating to public
1-46 buildings for the purpose of storing the information in the public
1-47 building mapping information system:

1-48 (1) floor plans and other relevant building maps;

1-49 (2) fire protection information;

1-50 (3) evacuation plans;

1-51 (4) utility information;

1-52 (5) known hazards;

1-53 (6) text and digital images showing emergency
1-54 personnel contact information; and

1-55 (7) other information determined by the committee to
1-56 be necessary.

1-57 Sec. 418.253. SOFTWARE STANDARDS AND FORMAT REQUIREMENTS.

1-58 (a) The division, with the advice of the committee:

1-59 (1) shall develop software standards and format
1-60 requirements for the creation and storage of maps and other
1-61 information by all public agencies; and

1-62 (2) may refuse to accept for storage in the system any
1-63 submitted maps and other information that do not comply with the

2-1 software standards or format required by the division.
 2-2 (b) If, before the establishment of the public building
 2-3 mapping information system under this subchapter, a local
 2-4 government establishes an independent building mapping system or
 2-5 creates or stores maps and other information using software
 2-6 standards and format requirements other than those established
 2-7 under Subsection (a), the local government may continue to use its
 2-8 independent building mapping system and unique software standards
 2-9 and format until the division provides funding necessary to modify
 2-10 the local government's information system to achieve compatibility
 2-11 with the standards and format requirements established by the
 2-12 division under Subsection (a).
 2-13 Sec. 418.254. SUBMISSION OF INFORMATION. (a) Each public
 2-14 agency that creates or stores maps and other information shall
 2-15 submit the maps and other information to the division for storage in
 2-16 the public building mapping information system. A public agency is
 2-17 not required to create or store maps and other information related
 2-18 to buildings owned or occupied by the agency unless funding for all
 2-19 of the public agency's costs related to that purpose is provided by
 2-20 the division or another entity.
 2-21 (b) A private entity that creates or stores maps and other
 2-22 information may voluntarily provide the maps and other information
 2-23 to the division for storage in the public building mapping
 2-24 information system.
 2-25 Sec. 418.255. COMMITTEE. (a) The Public Building Mapping
 2-26 Information System Committee is an advisory entity administered by
 2-27 the division.
 2-28 (b) The division may adopt rules necessary for the operation
 2-29 of the committee.
 2-30 (c) The committee is composed of one representative of each
 2-31 of the following entities, appointed by the administrative head of
 2-32 the entity:
 2-33 (1) the division;
 2-34 (2) another division of the Department of Public
 2-35 Safety;
 2-36 (3) the Department of Information Resources;
 2-37 (4) the state fire marshal's office;
 2-38 (5) the Texas State Association of Fire Fighters;
 2-39 (6) the Texas Association of Counties;
 2-40 (7) the Texas Municipal League;
 2-41 (8) the Sheriffs' Association of Texas;
 2-42 (9) the Texas Police Chiefs Association; and
 2-43 (10) the Texas Fire Chiefs Association.
 2-44 (d) The committee shall develop recommendations for the
 2-45 division with respect to:
 2-46 (1) the information required to be included in the
 2-47 public building mapping information system;
 2-48 (2) the software standards and required format for
 2-49 maps and other information to be included in the public building
 2-50 mapping information system;
 2-51 (3) a plan for the creation and storage of maps and
 2-52 other information that, based on the availability of funding,
 2-53 specifies the order in which the information shall be created and
 2-54 stored;
 2-55 (4) the manner in which information in the public
 2-56 building mapping information system shall be accessed, including
 2-57 detailed procedures and security systems that will ensure
 2-58 information is made available only to appropriate persons at
 2-59 appropriate times; and
 2-60 (5) guidelines for training related to the use of the
 2-61 public building mapping information system.
 2-62 Sec. 418.256. AVAILABILITY OF INFORMATION. The division,
 2-63 with the advice of the committee, shall develop procedures for the
 2-64 release of information in the public building mapping information
 2-65 system to first responders in the event of an emergency.
 2-66 Sec. 418.257. ACCESS TO INFORMATION. This subchapter does
 2-67 not apply to the extent that it interferes with the ability of a
 2-68 public agency to control and maintain access to information in an
 2-69 information system other than the public building mapping

3-1 information system.
3-2 Sec. 418.258. FUNDING. The division shall apply for
3-3 federal funding available for purposes related to this subchapter.
3-4 If the division obtains a federal grant for public building
3-5 mapping, the division shall use the grant to:
3-6 (1) establish and maintain the public building mapping
3-7 information system under this subchapter; and
3-8 (2) administer grants to other public agencies in
3-9 accordance with federal and state guidelines to assist with the
3-10 creation and storage of maps and other information according to the
3-11 plan developed by the division with the advice of the committee.
3-12 Sec. 418.259. EXCEPTION FROM PUBLIC INFORMATION LAW.
3-13 Information received and maintained by the division under this
3-14 subchapter is excepted from required disclosure under the public
3-15 information law, Chapter 552.
3-16 Sec. 418.260. LOCAL GOVERNMENT IMMUNITY. A local
3-17 government and its employees are immune from civil liability for
3-18 any act or omission relating to the creation and use of the public
3-19 building mapping information system under this subchapter, unless
3-20 the act or omission is grossly negligent or done in bad faith.
3-21 SECTION 2. (a) Not later than December 1, 2009, the
3-22 division of emergency management in the office of the governor
3-23 shall develop software standards and format requirements in
3-24 accordance with Section 418.253, Government Code, as added by this
3-25 Act.
3-26 (b) A public agency is not required to comply with the
3-27 software standards and format requirements required by Section
3-28 418.253, Government Code, as added by this Act, until the software
3-29 standards and format requirements are developed by the division of
3-30 emergency management in the office of the governor.
3-31 SECTION 3. (a) Except as provided by Subsection (b) of
3-32 this section, this Act takes effect September 1, 2009.
3-33 (b) Subsection (a), Section 418.254, Government Code, as
3-34 added by this Act, takes effect March 1, 2010.

3-35 * * * * *