

By: Carona

S.B. No. 1462

A BILL TO BE ENTITLED

AN ACT

relating to the use of public facilities as emergency shelters during disasters.

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

SECTION 1. Subdivision (1), Section 418.004, Government Code, is amended to read as follows:

(1) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, other public calamity requiring emergency action, or energy emergency.

SECTION 2. Subsection (a), Section 418.042, Government Code, is amended to read as follows:

(a) The division shall prepare and keep current a comprehensive state emergency management plan. The plan may include:

(1) provisions for prevention and minimization of injury and damage caused by disaster;

(2) provisions for prompt and effective response to disaster;

(3) provisions for emergency relief;

- 1           (4) provisions for energy emergencies;
- 2           (5) identification of areas particularly vulnerable  
3 to disasters;
- 4           (6) recommendations for zoning, building  
5 restrictions, and other land-use controls, safety measures for  
6 securing mobile homes or other nonpermanent or semipermanent  
7 structures, and other preventive and preparedness measures  
8 designed to eliminate or reduce disasters or their impact;
- 9           (7) provisions for assistance to local officials in  
10 designing local emergency management plans;
- 11          (8) authorization and procedures for the erection or  
12 other construction of temporary works designed to protect against  
13 or mitigate danger, damage, or loss from flood, fire, or other  
14 disaster;
- 15          (9) preparation and distribution to the appropriate  
16 state and local officials of state catalogs of federal, state, and  
17 private assistance programs;
- 18          (10) organization of manpower and channels of  
19 assistance;
- 20          (11) coordination of federal, state, and local  
21 emergency management activities;
- 22          (12) coordination of the state emergency management  
23 plan with the emergency management plans of the federal government;
- 24          (13) coordination of federal and state energy  
25 emergency plans;
- 26          (14) provisions for education and training of local  
27 officials on activation of the Emergency Alert System established

1 under 47 C.F.R. Part 11; [~~and~~]

2 (15) a list of public facilities that may be used under  
3 Section 418.017 to shelter individuals during a disaster, including  
4 air-conditioned facilities for shelter during an extreme heat  
5 disaster and fortified structures for shelter during a wind  
6 disaster; and

7 (16) other necessary matters relating to disasters.

8 SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2009.