

1-1 By: Carona S.B. No. 1462
1-2 (In the Senate - Filed March 6, 2009; March 17, 2009, read
1-3 first time and referred to Subcommittee on Flooding and
1-4 Evacuations; April 20, 2009, reported favorably from Committee on
1-5 Intergovernmental Relations by the following vote: Yeas 5, Nays 0;
1-6 April 20, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the use of public facilities as emergency shelters
1-10 during disasters.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subdivision (1), Section 418.004, Government
1-13 Code, is amended to read as follows:

1-14 (1) "Disaster" means the occurrence or imminent threat
1-15 of widespread or severe damage, injury, or loss of life or property
1-16 resulting from any natural or man-made cause, including fire,
1-17 flood, earthquake, wind, storm, wave action, oil spill or other
1-18 water contamination, volcanic activity, epidemic, air
1-19 contamination, blight, drought, infestation, explosion, riot,
1-20 hostile military or paramilitary action, extreme heat, other public
1-21 calamity requiring emergency action, or energy emergency.

1-22 SECTION 2. Subsection (a), Section 418.042, Government
1-23 Code, is amended to read as follows:

1-24 (a) The division shall prepare and keep current a
1-25 comprehensive state emergency management plan. The plan may
1-26 include:

1-27 (1) provisions for prevention and minimization of
1-28 injury and damage caused by disaster;

1-29 (2) provisions for prompt and effective response to
1-30 disaster;

1-31 (3) provisions for emergency relief;

1-32 (4) provisions for energy emergencies;

1-33 (5) identification of areas particularly vulnerable
1-34 to disasters;

1-35 (6) recommendations for zoning, building
1-36 restrictions, and other land-use controls, safety measures for
1-37 securing mobile homes or other nonpermanent or semipermanent
1-38 structures, and other preventive and preparedness measures
1-39 designed to eliminate or reduce disasters or their impact;

1-40 (7) provisions for assistance to local officials in
1-41 designing local emergency management plans;

1-42 (8) authorization and procedures for the erection or
1-43 other construction of temporary works designed to protect against
1-44 or mitigate danger, damage, or loss from flood, fire, or other
1-45 disaster;

1-46 (9) preparation and distribution to the appropriate
1-47 state and local officials of state catalogs of federal, state, and
1-48 private assistance programs;

1-49 (10) organization of manpower and channels of
1-50 assistance;

1-51 (11) coordination of federal, state, and local
1-52 emergency management activities;

1-53 (12) coordination of the state emergency management
1-54 plan with the emergency management plans of the federal government;

1-55 (13) coordination of federal and state energy
1-56 emergency plans;

1-57 (14) provisions for education and training of local
1-58 officials on activation of the Emergency Alert System established
1-59 under 47 C.F.R. Part 11; ~~and~~

1-60 (15) a list of public facilities that may be used under
1-61 Section 418.017 to shelter individuals during a disaster, including
1-62 air-conditioned facilities for shelter during an extreme heat
1-63 disaster and fortified structures for shelter during a wind
1-64 disaster; and

2-1 (16) other necessary matters relating to disasters.
2-2 SECTION 3. This Act takes effect immediately if it receives
2-3 a vote of two-thirds of all the members elected to each house, as
2-4 provided by Section 39, Article III, Texas Constitution. If this
2-5 Act does not receive the vote necessary for immediate effect, this
2-6 Act takes effect September 1, 2009.

2-7

* * * * *