

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 31, 2009**

**TO:** Honorable Frank Corte, Jr., Chair, House Committee on Defense & Veterans' Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1026** by Edwards (Relating to establishing legislative district emergency response teams.), **As Introduced**

**The cost to the state would depend on how many district emergency response teams would be formed and would meet the requirements to be eligible for state appropriations.**

**Although the bill would make no appropriation, it could provide the legal basis for an appropriation of funds.**

The bill would add Chapter 364 to the Local Government Code to authorize the creation of a House legislative district emergency response team. Composition of the team and responsibilities are stated in the bill. An emergency response team would be required to collaborate with the Federal Emergency Management Agency, the office of the governor, and other state and federal agencies to develop an emergency operations plan for the district; establish strategically located neighborhood distribution sites for aid during a disaster or emergency and notify residents of those locations; establish communications centers in the district that would work with existing emergency operations plans of the applicable municipality and county; establish a medical triage transport staging site in the district, and meet with the applicable state representative and senator. The team would also be required to consult with essential businesses, utility companies, school districts, and health care providers in developing the plans.

Each district emergency response team that complies with the requirements of Chapter 364 would be eligible to receive money appropriated by the state.

The county in which most of the district residents reside would be required to administer the district emergency response team's funds, make purchases for the team, provide the team with certain equipment, and store the equipment for the team.

The state representative whose district creates a district emergency response team would be required to serve as the team's liaison with the state; each state senator would be authorized to also serve as a liaison.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

The Department of State Health Services has the lead for Emergency Support Function-8 (Health and Medical). Because the bill focuses on medical triage transport sites and planning, the agency assumes that a health service region in which a district emergency response team would be established would require additional planning staff; however, unless a team was to be established in every district, it is assumed associated costs could be absorbed within existing resources.

The bill does not create an appropriation, but it would authorize appropriations by the state to district emergency response teams if those teams meet the requirements set forth in the proposed new chapter of the Local Government Code. The minimum costs per district team would be for the required equipment and facilities: amateur radio equipment, five wireless Internet stations, generator, restroom

facilities, showers, kitchen, ice-maker, 12 cameras, and storage area for equipment. Based on average estimates obtained from various counties, the minimum equipment and facilities per team could cost approximately \$60,000. This does not include costs of other items the counties anticipate would be needed, such as vehicles, interoperable radios, cell phones, office supplies, and staff. If a district emergency response team formed in a minimum of 12 House districts (e.g., coastal districts and districts in which tornadoes occur frequently), and if all 12 teams were to meet the criteria stipulated for receiving state funding, appropriations could total \$720,000. If a team formed in all 150 House districts, the cost could total \$9 million.

### **Local Government Impact**

A district emergency response team and counties within the district would incur costs associated with implementing provisions of the bill. Some or all of those costs could be offset by appropriations from the state. If, however, appropriations were not available, the district team/counties would bear the costs.

Dallas County assumes that if a district team was formed that included that county, there would be costs in fiscal year 2010 of \$275,891 for new staff; nearly \$1.5 million in capital outlay for interoperable radios, computers, satellite ready vehicles, cameras, generators, and trailers; new operational costs of \$70,550 for cell phones, office space, training, and office supplies; plus \$35,000 for storage and maintenance of vehicles, for a total cost of almost \$1.9 million. Costs for subsequent fiscal years through 2014 would be \$381,441 for continuing costs other than those for initial capital outlay.

Harris County's Office of Emergency Management projects costs of \$450,000 the first year of implementation and \$250,000 in succeeding years. However, Harris County also assumes that implementation of the provisions of the bill could jeopardize millions of dollars annually appropriated to Texas and its counties for training and provisioning under terms of the National Incident Management/Incident Command System of the Department of Homeland Security. The Legislative Budget Board, Federal Funds Team, assumes the bill may require counties to spend money from the current blend of federal, state, and county funds the entity already receives, as done for their other emergency functions, rather than losing federal funds. The issue would require a legal review.

The Texas Association of Counties (TAC) stated that if a district emergency response team is formed in a district that already has an emergency response team performing the same duties that a district team would be required to perform, there would be duplicate efforts, which would prove costly. More specifically, TAC provided cost estimates based on information gathered from emergency management coordinators and county officials in counties with a population size under 50,000. Those counties estimated the cost of medical triage transport starting at \$10,000 and costs of other required equipment at \$139,300 at a minimum.

**Source Agencies:** 301 Office of the Governor, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board, 357 Office of Rural Community Affairs, 405 Department of Public Safety, 477 Commission on State Emergency Communications, 529 Health and Human Services Commission, 537 State Health Services, Department of, 551 Department of Agriculture, 580 Water Development Board, 582 Commission on Environmental Quality, 601 Department of Transportation, 802 Parks and Wildlife Department

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