

BILL ANALYSIS

C.S.H.B. 2257
By: Phillips
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During a disaster or emergency, it is important for public service providers to have the ability to communicate critical information to affected persons regarding the status of water and power supplies and other similar public services. However, the use of conventional telephone and Internet services can overwhelm the telecommunications network, resulting in messages that do not reach all affected persons, thereby exposing those persons to potential harm.

C.S.H.B. 2257 seeks to remedy this problem by granting public service providers the ability to enter into a contract for an emergency notification system that relies on a dynamic information database that can contact affected persons without affecting the telecommunications infrastructure.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2257 amends the Government Code to authorize a public service provider to enter into a contract for an emergency notification system to inform the provider's customers, governmental entities, and other affected persons regarding notice of a disaster or emergency and any actions a recipient is required to take during a disaster or an emergency.

C.S.H.B. 2257 requires the emergency notification system to rely on a dynamic information database that does the following:

- is capable of simultaneous transmission of emergency messages to all recipients through at least two industry-standard gateways to one or more telephones or electronic devices owned by a recipient in a manner that does not negatively impact the existing communication infrastructure;
- allows the public service provider to store prewritten emergency messages in the dynamic information database for subsequent use and to generate emergency messages in real time based on provider inputs;
- allows a recipient to select the language in which the recipient would prefer to receive messages;
- transmits the message in the recipient's language of choice to that recipient;
- converts text messages to sound files and transmits those sound files to the appropriate device;
- assigns recipients to priority groups for notification; and
- allows for the collection and verification of responses by recipients of emergency messages.

C.S.H.B. 2257 requires the dynamic information database to comply with the Telecommunications Service Priority program established by the Federal Communications Commission and the Federal Information Processing Standard 140-2 governing compliant cryptographic modules for encryption and security issued by the National Institute of Standards and Technology. The bill entitles a public service provider that uses an emergency notification system described by the bill's provisions to information that is confidential under Health and Safety Code provisions relating to the confidentiality of state emergency communications, from a governmental entity providing 9-1-1 service to a public service provider's customer. The bill requires the public service provider to use information collected or received only for informing persons regarding notice of a disaster or emergency and any actions required during a disaster or emergency. The bill defines "emergency" and "public service provider."

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2257 differs from the original by authorizing a public service provider to enter into a contract for an emergency notification system for use in informing certain persons of a disaster or emergency and actions to be taken during such events, whereas the original authorizes the public service provider to use an emergency notification system to provide that information to those persons. The substitute contains a provision not included in the original requiring the public service provider to use the confidential information collected or received by the provider only for informing its customers, governmental entities, and other affected persons regarding notice of a disaster or emergency and any actions required during a disaster or emergency.

C.S.H.B. 2257 differs from the original in nonsubstantive ways reflective of certain bill drafting conventions.