

BILL ANALYSIS

S.B. 1560

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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Various emergency situations in recent years, such as hurricanes and floods, have made it apparent that local emergency services can become overwhelmed within a short time frame, and local augmentation of these services is essential. Adding to such services requires manpower, cross-trained with similar basic skill sets (police, fire fighting, emergency medical services, communications, search and rescue), and include the ability to assume limited support functions within each responding organization.

To address the need for these manpower support functions, local communities have begun creating Citizen Corps Programs, which include Community Emergency Response Teams (CERT), Fire Corps, Medical Reserve Corps, Volunteer Police Service (VIPS), and other similar programs to educate and train volunteers about disaster preparedness and basic disaster response skills. These volunteers are then formed up into groups and are provided with equipment and ongoing training.

These volunteer groups are serving their individual local communities in the same fashion and manner as local volunteer fire departments and volunteer emergency medical services organizations and are facing the same types of liability exposure.

To encourage and maintain this valuable resource, it is important to provide the volunteer members of these groups the same protections while volunteering for the public good that are provided to other emergency service organizations.

As proposed, S.B. 1560 amends current law relating to liability of certain local emergency management or homeland security organizations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 101.001(1), Civil Practice and Remedies Code, to redefine "emergency service organization" to include a local management or homeland security organization that is formed and operated as a state resource in accordance with the statewide homeland security strategy developed by the governor under Section 421.002 (Homeland Security Strategy), Government Code, and responsive to the Texas Division of Emergency Management in carrying out an all-hazard emergency management program under Section 418.112 (Administration By Division), Government Code.

SECTION 2. Makes application of this Act prospective.

EFFECTIVE DATE

Upon passage or September 1, 2011.