

AN ACT

relating to the establishment of an emergency radio infrastructure account.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. INTEROPERABLE STATEWIDE EMERGENCY

RADIO INFRASTRUCTURE

Sec. 411.401. DEFINITION. In this subchapter, "emergency radio infrastructure" means radio frequency hardware, software, or auxiliary equipment that:

(1) provides dispatch communications for this state and local governments to public safety agencies; and

(2) allows interoperable communication between public safety agencies, including communication between different types of public safety agencies.

Sec. 411.402. USE OF REVENUE. (a) Fees collected under Section 133.102(e)(11), Local Government Code, may only:

(1) be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure;

(2) be used in accordance with the statewide integrated public safety radio communications plan developed under Subchapter F, Chapter 421;

1 (3) be used for the development of a regional or state
2 interoperable radio communication system;

3 (4) be distributed as grants by the department to:

4 (A) regional councils of government that have
5 entered into interlocal agreements authorized under state law; and

6 (B) state agencies requiring emergency radio
7 infrastructure; or

8 (5) be used for other public safety purposes.

9 (b) Fees collected and distributed as provided by this
10 subchapter may not be used to purchase or maintain radio subscriber
11 equipment.

12 Sec. 411.403. EMERGENCY RADIO INFRASTRUCTURE ACCOUNT. (a)
13 The emergency radio infrastructure account is an account in the
14 general revenue fund.

15 (b) The account consists of:

16 (1) fees deposited in the account as provided by
17 Section 133.102(e)(11), Local Government Code; and

18 (2) notwithstanding Section 404.071, all interest
19 attributable to money held in the account.

20 (c) Money in the account may be appropriated to the
21 department for the purposes described by Section 411.402.

22 (d) Section 403.095 does not apply to the account.

23 SECTION 2. Section 133.102(e), Local Government Code, is
24 amended to read as follows:

25 (e) The comptroller shall allocate the court costs received
26 under this section to the following accounts and funds so that each
27 receives to the extent practicable, utilizing historical data as

1 applicable, the same amount of money the account or fund would have
 2 received if the court costs for the accounts and funds had been
 3 collected and reported separately, except that the account or fund
 4 may not receive less than the following percentages:

- 5 (1) abused children's counseling 0.0088 percent;
- 6 (2) crime stoppers assistance 0.2581 percent;
- 7 (3) breath alcohol testing 0.5507 percent;
- 8 (4) Bill Blackwood Law Enforcement Management
 9 Institute 2.1683 percent;
- 10 (5) law enforcement officers standards and
 11 education 5.0034 percent;
- 12 (6) comprehensive rehabilitation 9.8218 [~~5.3218~~]
 13 percent;
- 14 (7) operator's and chauffeur's
 15 license 11.1426 percent;
- 16 (8) criminal justice planning 12.5537 percent;
- 17 (9) an account in the state treasury to be used only
 18 for the establishment and operation of the Center for the Study and
 19 Prevention of Juvenile Crime and Delinquency at Prairie View A&M
 20 University 1.2090 percent;
- 21 (10) compensation to victims of crime
 22 fund 37.6338 percent;
- 23 (11) emergency radio infrastructure [~~fugitive~~
 24 ~~apprehension~~] account 5.5904 [~~12.0904~~] percent;
- 25 (12) judicial and court personnel training
 26 fund 4.8362 percent;
- 27 (13) an account in the state treasury to be used for

1 the establishment and operation of the Correctional
2 Management Institute of Texas and Criminal Justice Center
3 Account 1.2090 percent; and
4 (14) fair defense account 8.0143 [~~6.0143~~] percent.

5 SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 442 was passed by the House on May 4, 2011, by the following vote: Yeas 140, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 442 was passed by the Senate on May 21, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor