

1-1 By: Guillen, et al. (Senate Sponsor - Williams) H.B. No. 442  
1-2 (In the Senate - Received from the House May 5, 2011;  
1-3 May 9, 2011, read first time and referred to Committee on  
1-4 Transportation and Homeland Security; May 19, 2011, reported  
1-5 favorably by the following vote: Yeas 9, Nays 0; May 19, 2011, sent  
1-6 to printer.)

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

1-9 relating to the establishment of an emergency radio infrastructure  
1-10 account.

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

1-12 SECTION 1. Chapter 411, Government Code, is amended by  
1-13 adding Subchapter N to read as follows:

1-14 SUBCHAPTER N. INTEROPERABLE STATEWIDE EMERGENCY

1-15 RADIO INFRASTRUCTURE

1-16 Sec. 411.401. DEFINITION. In this subchapter, "emergency  
1-17 radio infrastructure" means radio frequency hardware, software, or  
1-18 auxiliary equipment that:

1-19 (1) provides dispatch communications for this state  
1-20 and local governments to public safety agencies; and

1-21 (2) allows interoperable communication between public  
1-22 safety agencies, including communication between different types  
1-23 of public safety agencies.

1-24 Sec. 411.402. USE OF REVENUE. (a) Fees collected under  
1-25 Section 133.102(e)(11), Local Government Code, may only:

1-26 (1) be used for the planning, development, provision,  
1-27 enhancement, or ongoing maintenance of an interoperable statewide  
1-28 emergency radio infrastructure;

1-29 (2) be used in accordance with the statewide  
1-30 integrated public safety radio communications plan developed under  
1-31 Subchapter F, Chapter 421;

1-32 (3) be used for the development of a regional or state  
1-33 interoperable radio communication system;

1-34 (4) be distributed as grants by the department to:

1-35 (A) regional councils of government that have  
1-36 entered into interlocal agreements authorized under state law; and

1-37 (B) state agencies requiring emergency radio  
1-38 infrastructure; or

1-39 (5) be used for other public safety purposes.

1-40 (b) Fees collected and distributed as provided by this  
1-41 subchapter may not be used to purchase or maintain radio subscriber  
1-42 equipment.

1-43 Sec. 411.403. EMERGENCY RADIO INFRASTRUCTURE ACCOUNT.

1-44 (a) The emergency radio infrastructure account is an account in  
1-45 the general revenue fund.

1-46 (b) The account consists of:

1-47 (1) fees deposited in the account as provided by  
1-48 Section 133.102(e)(11), Local Government Code; and

1-49 (2) notwithstanding Section 404.071, all interest  
1-50 attributable to money held in the account.

1-51 (c) Money in the account may be appropriated to the  
1-52 department for the purposes described by Section 411.402.

1-53 (d) Section 403.095 does not apply to the account.

1-54 SECTION 2. Section 133.102(e), Local Government Code, is  
1-55 amended to read as follows:

1-56 (e) The comptroller shall allocate the court costs received  
1-57 under this section to the following accounts and funds so that each  
1-58 receives to the extent practicable, utilizing historical data as  
1-59 applicable, the same amount of money the account or fund would have  
1-60 received if the court costs for the accounts and funds had been  
1-61 collected and reported separately, except that the account or fund  
1-62 may not receive less than the following percentages:

1-63 (1) abused children's counseling 0.0088 percent;

1-64 (2) crime stoppers assistance 0.2581 percent;

2-1 (3) breath alcohol testing 0.5507 percent;  
2-2 (4) Bill Blackwood Law Enforcement Management  
2-3 Institute 2.1683 percent;  
2-4 (5) law enforcement officers standards and  
2-5 education 5.0034 percent;  
2-6 (6) comprehensive rehabilitation 9.8218 [~~5.3218~~]  
2-7 percent;  
2-8 (7) operator's and chauffeur's  
2-9 license 11.1426 percent;  
2-10 (8) criminal justice planning 12.5537 percent;  
2-11 (9) an account in the state treasury to be used only  
2-12 for the establishment and operation of the Center for the Study and  
2-13 Prevention of Juvenile Crime and Delinquency at Prairie View A&M  
2-14 University 1.2090 percent;  
2-15 (10) compensation to victims of crime  
2-16 fund 37.6338 percent;  
2-17 (11) emergency radio infrastructure [~~fugitive~~  
2-18 ~~apprehension~~] account 5.5904 [~~12.0904~~] percent;  
2-19 (12) judicial and court personnel training  
2-20 fund 4.8362 percent;  
2-21 (13) an account in the state treasury to be used for  
2-22 the establishment and operation of the Correctional  
2-23 Management Institute of Texas and Criminal Justice Center  
2-24 Account 1.2090 percent; and  
2-25 (14) fair defense account 8.0143 [~~6.0143~~] percent.  
2-26 SECTION 3. This Act takes effect September 1, 2011.

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