

1-1 By: Anchia (Senate Sponsor - Whitmire) H.B. No. 1861  
1-2 (In the Senate - Received from the House April 18, 2011;  
1-3 April 26, 2011, read first time and referred to Committee on  
1-4 Government Organization; May 5, 2011, reported favorably by the  
1-5 following vote: Yeas 5, Nays 0; May 5, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the continuation and functions of the Commission on  
1-9 State Emergency Communications.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 771.032, Health and Safety Code, is  
1-12 amended to read as follows:

1-13 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on  
1-14 State Emergency Communications is subject to Chapter 325,  
1-15 Government Code (Texas Sunset Act). Unless continued in existence  
1-16 as provided by that chapter, the commission is abolished and this  
1-17 chapter expires September 1, 2023 [2011].

1-18 SECTION 2. Subchapter B, Chapter 771, Health and Safety  
1-19 Code, is amended by adding Section 771.040 to read as follows:

1-20 Sec. 771.040. NEGOTIATED RULEMAKING AND ALTERNATIVE  
1-21 DISPUTE RESOLUTION. (a) The commission shall develop and  
1-22 implement a policy to encourage the use of:

1-23 (1) negotiated rulemaking procedures under Chapter  
1-24 2008, Government Code, for the adoption of commission rules; and

1-25 (2) appropriate alternative dispute resolution  
1-26 procedures under Chapter 2009, Government Code, to assist in the  
1-27 resolution of internal and external disputes under the commission's  
1-28 jurisdiction.

1-29 (b) The commission's procedures relating to alternative  
1-30 dispute resolution must conform, to the extent possible, to any  
1-31 model guidelines issued by the State Office of Administrative  
1-32 Hearings for the use of alternative dispute resolution by state  
1-33 agencies.

1-34 (c) The commission shall:

1-35 (1) coordinate the implementation of the policy  
1-36 adopted under Subsection (a);

1-37 (2) provide training as needed to implement the  
1-38 procedures for negotiated rulemaking or alternative dispute  
1-39 resolution; and

1-40 (3) collect data concerning the effectiveness of those  
1-41 procedures.

1-42 SECTION 3. Subchapter C, Chapter 771, Health and Safety  
1-43 Code, is amended by adding Section 771.0511 to read as follows:

1-44 Sec. 771.0511. EMERGENCY SERVICES INTERNET PROTOCOL  
1-45 NETWORK; EMERGENCY COMMUNICATIONS ADVISORY COMMITTEE. (a) In this  
1-46 section:

1-47 (1) "Advisory committee" means the Emergency  
1-48 Communications Advisory Committee.

1-49 (2) "State-level emergency services Internet Protocol  
1-50 network" means a private Internet Protocol network or Virtual  
1-51 Private Network that:

1-52 (A) is used for communications between and among  
1-53 public safety answering points and other entities that support or  
1-54 are supported by public safety answering points in providing  
1-55 emergency call handling and response; and

1-56 (B) will be a part of the Texas Next Generation  
1-57 Emergency Communications System.

1-58 (b) The commission, with the assistance of an advisory  
1-59 committee, may coordinate the development, implementation, and  
1-60 management of an interconnected, state-level emergency services  
1-61 Internet Protocol network.

1-62 (c) If the commission acts under Subsection (b), the  
1-63 commission shall establish policy and oversee agency involvement in  
1-64 the development and implementation of the interconnected,

state-level emergency services Internet Protocol network.

(d) If the commission acts under Subsection (b), the commission shall appoint an advisory committee. The advisory committee must include at least:

(1) one representative from a regional planning commission;

(2) one representative from an emergency communication district, as that term is defined by Section 771.001(3)(A); and

(3) one representative from an emergency communication district, as that term is defined by Section 771.001(3)(B).

(e) In appointing members of an advisory committee, the commission shall consult with regional planning commissions and emergency communication districts throughout the state. The commission shall ensure that each member of the advisory committee has appropriate training, experience, and knowledge in 9-1-1 systems and network management to assist in the implementation and operation of a complex network.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

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