

By: Phillips

H.B. No. 2257

A BILL TO BE ENTITLED

1 AN ACT
2 relating to communications during a disaster or an emergency by
3 public service providers.

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

5 SECTION 1. The heading to Section 418.047, Government Code,
6 is amended to read as follows:

7 Sec. 418.047. COMMUNICATIONS BY THE DIVISION DURING
8 DISASTERS AND EMERGENCIES.

9 SECTION 2. Subchapter C, Chapter 418, Government Code, is
10 amended by adding Section 418.0471 to read as follows:

11 Sec. 418.0471. COMMUNICATIONS BY PUBLIC SERVICE PROVIDERS
12 DURING DISASTERS AND EMERGENCIES. (a) A public service provider
13 may use an emergency notification system under this section to
14 inform the provider's customers, governmental agencies, and other
15 affected persons with messages providing:

16 (1) notice of a disaster or emergency; and

17 (2) any actions a recipient is required to take during
18 a disaster or an emergency.

19 (b) The emergency notification system used by a public
20 service provider must rely on a dynamic information database that:

21 (1) is capable of simultaneous transmission of
22 emergency messages to all recipients through at least two industry
23 standard gateways to one or more telephones or electronic devices
24 owned by a recipient in a manner that does not negatively impact

1 the existing communication infrastructure;

2 (2) allows the public service provider to:

3 (A) store prewritten emergency messages in the
4 dynamic information database for subsequent use; and

5 (B) generate emergency messages in real-time
6 based on provider inputs;

7 (3) allows a recipient to select the language in which
8 the recipient would prefer to receive messages;

9 (4) transmits the message in the recipient's language
10 of choice to that recipient;

11 (5) converts text messages to sound files and
12 transmits those sound files to the appropriate device;

13 (6) assigns recipients to priority groups for
14 notification; and

15 (7) allows for the collection and verification of
16 responses by recipients of emergency messages.

17 (c) The dynamic information database must comply with:

18 (1) the Telecommunications Service Priority Program
19 established by the Federal Communications Commission; and

20 (2) the Federal Information Processing Standard 140-2
21 governing compliant cryptographic modules for encryption and
22 security issued by the National Institute of Standards and
23 Technology.

24 (d) A public service provider that uses an emergency
25 notification system described by this section is entitled to
26 obtain the information made confidential by Section 771.061, Health
27 and Safety Code, from a governmental entity providing 9-1-1 service

1 to a provider's customer.

2 (e) As used in this section:

3 (1) "Emergency" means a temporary, sudden, and
4 unforeseen occurrence which requires action by a public service
5 provider to inform, to correct, to protect lives or property, or to
6 temporarily reduce demand or allocate supply for the provider's
7 products or services to ensure public safety or preserve the
8 integrity of service delivery mechanisms.

9 (2) "Public service provider" means any person or
10 entity that furnishes essential products or services to the public
11 that are governed by the Natural Resources, Utilities, or Water
12 Code, including common carriers, telecommunications companies,
13 and any person or entity furnishing or producing heat, light, power
14 or water.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2011.