

By: Whitmire, Hegar

S.B. No. 648

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the continuation and functions of the Commission on  
3 State Emergency Communications.

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

5 SECTION 1. Section 771.032, Health and Safety Code, is  
6 amended to read as follows:

7 Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on  
8 State Emergency Communications is subject to Chapter 325,  
9 Government Code (Texas Sunset Act). Unless continued in existence  
10 as provided by that chapter, the commission is abolished and this  
11 chapter expires September 1, 2023 [~~2011~~].

12 SECTION 2. Subchapter B, Chapter 771, Health and Safety  
13 Code, is amended by adding Section 771.040 to read as follows:

14 Sec. 771.040. NEGOTIATED RULEMAKING AND ALTERNATIVE  
15 DISPUTE RESOLUTION. (a) The commission shall develop and  
16 implement a policy to encourage the use of:

17 (1) negotiated rulemaking procedures under Chapter  
18 2008, Government Code, for the adoption of commission rules; and

19 (2) appropriate alternative dispute resolution  
20 procedures under Chapter 2009, Government Code, to assist in the  
21 resolution of internal and external disputes under the commission's  
22 jurisdiction.

23 (b) The commission's procedures relating to alternative  
24 dispute resolution must conform, to the extent possible, to any

1 model guidelines issued by the State Office of Administrative  
2 Hearings for the use of alternative dispute resolution by state  
3 agencies.

4 (c) The commission shall:

5 (1) coordinate the implementation of the policy  
6 adopted under Subsection (a);

7 (2) provide training as needed to implement the  
8 procedures for negotiated rulemaking or alternative dispute  
9 resolution; and

10 (3) collect data concerning the effectiveness of those  
11 procedures.

12 SECTION 3. Subchapter C, Chapter 771, Health and Safety  
13 Code, is amended by adding Section 771.0511 to read as follows:

14 Sec. 771.0511. EMERGENCY SERVICES INTERNET PROTOCOL  
15 NETWORK; EMERGENCY COMMUNICATIONS ADVISORY COMMITTEE. (a) In this  
16 section:

17 (1) "Advisory committee" means the Emergency  
18 Communications Advisory Committee.

19 (2) "State-level emergency services Internet Protocol  
20 network" means a private Internet Protocol network or Virtual  
21 Private Network that:

22 (A) is used for communications between and among  
23 public safety answering points and other entities that support or  
24 are supported by public safety answering points in providing  
25 emergency call handling and response; and

26 (B) will be a part of the Texas Next Generation  
27 Emergency Communications System.

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

5       (c) If the commission acts under Subsection (b), the  
6 commission shall establish policy and oversee agency involvement in  
7 the development and implementation of the interconnected,  
8 state-level emergency services Internet Protocol network.

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

12           (1) one representative from a regional planning  
13 commission;

14           (2) one representative from an emergency  
15 communication district, as that term is defined by Section  
16 771.001(3)(A); and

17           (3) one representative from an emergency  
18 communication district, as that term is defined by Section  
19 771.001(3)(B).

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

27       SECTION 4. This Act takes effect immediately if it receives

S.B. No. 648

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