

1-1 By: Whitmire, Hegar S.B. No. 648  
1-2 (In the Senate - Filed February 18, 2011; February 23, 2011,  
1-3 read first time and referred to Committee on Government  
1-4 Organization; March 29, 2011, reported favorably by the following  
1-5 vote: Yeas 6, Nays 0; March 29, 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  
1-46 this 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,

2-1 state-level emergency services Internet Protocol network.  
2-2 (d) If the commission acts under Subsection (b), the  
2-3 commission shall appoint an advisory committee. The advisory  
2-4 committee must include at least:

2-5 (1) one representative from a regional planning  
2-6 commission;

2-7 (2) one representative from an emergency  
2-8 communication district, as that term is defined by Section  
2-9 771.001(3)(A); and

2-10 (3) one representative from an emergency  
2-11 communication district, as that term is defined by Section  
2-12 771.001(3)(B).

2-13 (e) In appointing members of an advisory committee, the  
2-14 commission shall consult with regional planning commissions and  
2-15 emergency communication districts throughout the state. The  
2-16 commission shall ensure that each member of the advisory committee  
2-17 has appropriate training, experience, and knowledge in 9-1-1  
2-18 systems and network management to assist in the implementation and  
2-19 operation of a complex network.

2-20 SECTION 4. This Act takes effect immediately if it receives  
2-21 a vote of two-thirds of all the members elected to each house, as  
2-22 provided by Section 39, Article III, Texas Constitution. If this  
2-23 Act does not receive the vote necessary for immediate effect, this  
2-24 Act takes effect September 1, 2011.

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