

tBILL ANALYSIS

Senate Research Center

H.B. 1090
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Agriculture, Rural Affairs & Homeland Security
5/17/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is concern that no regional response task force is currently located in the Rio Grande Valley to respond to natural and man-made disasters. Interested parties contend that the Rio Grande Valley is among the areas most vulnerable to hurricanes in Texas and, as a result of the valley's location and the lack of a regional response task force in the area, a disaster could isolate the valley and its residents, seriously complicating search and rescue efforts. To address these concerns, H.B. 1090 creates Texas Task Force 1 Type 3 Rio Grande Valley as a program of the Texas A&M Engineering Extension Service to provide training and assistance in search, rescue, and recovery efforts following a disaster in the Rio Grande Valley.

H.B. 1090 amends current law relating to the creation of Texas Task Force 1 Type 3 Rio Grande Valley.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter D, Chapter 88, Education Code, to read as follows:

SUBCHAPTER D. TEXAS TASK FORCE

SECTION 2. Amends Section 88.301(2), Education Code, to redefine "member."

SECTION 3. Amends Subchapter D, Chapter 88, Education Code, by adding Section 88.3025 and amending Section 88.303, as follows:

Sec. 88.3025. TEXAS TASK FORCE 1 TYPE 3 RIO GRANDE VALLEY. (a) Requires the board of regents of the Texas A&M University System to establish Texas Task Force 1 Type 3 Rio Grande Valley as a program of the Texas A&M Engineering Extension Service.

(b) Requires that the training and assistance capabilities of Texas Task Force 1 Type 3 Rio Grande Valley be substantially equivalent to the training and assistance capabilities of the Texas Task Force 1 program described in Section 88.302 (Texas Task Force 1).

(c) Requires that the headquarters of Texas Task Force 1 Type 3 Rio Grande Valley be located in the Rio Grande Valley.

(d) Provides that Texas Task Force 1 Type 3 Rio Grande Valley is a program of the Texas A&M Engineering Extension Service providing training and responding to assist in search, rescue, and recovery efforts following natural or man-made disasters. Sets forth the task force's responsibilities.

(e) Provides that the task force will operate, train, respond, and function under Texas Task Force 1.

(f) Provides that the members of Texas Task Force 1 Type 3 Rio Grande Valley are responsible for any costs and expenses related to the operation, training, and equipment of the task force, including the procurement and maintenance of equipment and supplies.

(g) Authorizes a member of Texas Task Force 1 Type 3 Rio Grande Valley to be reimbursed for the member's expenses incurred while activated and deployed in the same manner as a member of Texas Task Force 1.

Sec. 88.303. WORKERS' COMPENSATION INSURANCE COVERAGE. (a) Provides that notwithstanding any other law, during any period in which a task force established under this subchapter, rather than during any period in which Texas Task Force 1, is activated by the Texas Division of Emergency Management, or during any training session sponsored or sanctioned by a task force established under this subchapter, rather than during any training session sponsored or sanctioned by Texas Task Force 1, a participating nongovernment member or local government employee member is included in the coverage provided under Chapter 501 (Workers' Compensation Insurance Coverage for State Employees, Including Employees Under the Direction or Control of the Board of Regents of Texas Tech University), Labor Code, in the same manner as an employee, as defined by Section 501.001 (Definitions), Labor Code.

(b) Provides that service with a task force established under this subchapter, rather than service with Texas Task Force 1, by a state employee member who is activated is considered to be in the course and scope of the employee's regular employment with the state.

(c) Provides that service with a task force established under this subchapter, rather than service with Texas Task Force 1, by an employee of The Texas A&M University System is considered to be in the course and scope of the employee's regular employment with The Texas A&M University System.

(d) Requires the Texas Division of Emergency Management, notwithstanding Section 412.0123 (Allocation of Workers' Compensation and Risk Management Costs; Risk Reward Program), Labor Code, as added by Chapter 1098, Acts of the 75th Legislature, Regular Session, 1997, to reimburse the State Office of Risk Management for the actual medical and indemnity benefits paid on behalf of a covered member of a task force established under this subchapter, rather than on behalf of a covered member of Texas Task Force 1, at the beginning of the next state fiscal year occurring after the date the benefits are paid.

SECTION 4. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.052, as follows:

Sec. 418.052. STUDY REGARDING THE NEED FOR SEARCH AND RESCUE TASK FORCES. (a) Requires the Department of Public Safety of the State of Texas (DPS) to study the task force established under Section 88.3025, Education Code. Requires that the study include:

- (1) an assessment of the effectiveness of the task force and any lessons learned from the operation of that task force;
- (2) the need to establish and operate similar task forces in other regions; and
- (3) any other matter that DPS considers relevant to the topic of the study.

(b) Requires DPS to report the results of the study to the legislature on or before the first anniversary of the effective date of House Bill 1090, as enacted by the 83rd Legislature, Regular Session, 2013.

(c) Provides that this section expires January 1, 2015.

SECTION 5. Effective date: upon passage or September 1, 2013.