

By: Martinez

H.B. No. 1090

Substitute the following for H.B. No. 1090:

By: Lavender

C.S.H.B. No. 1090

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of Texas Task Force 1 Type 3 Rio Grande
3 Valley.

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

5 SECTION 1. The heading to Subchapter D, Chapter 88,
6 Education Code, is amended to read as follows:

7 SUBCHAPTER D. TEXAS TASK FORCE [~~1~~]

8 SECTION 2. Section 88.301(2), Education Code, is amended to
9 read as follows:

10 (2) "Member" means an individual, other than an
11 employee of The Texas A&M University System, who has been
12 officially designated as a member of a task force established under
13 this subchapter [~~Texas Task Force 1~~].

14 SECTION 3. Subchapter D, Chapter 88, Education Code, is
15 amended by adding Section 88.3025 and amending Section 88.303 to
16 read as follows:

17 Sec. 88.3025. TEXAS TASK FORCE 1 TYPE 3 RIO GRANDE VALLEY.

18 (a) The board shall establish Texas Task Force 1 Type 3 Rio Grande
19 Valley as a program of the Texas A&M Engineering Extension Service.

20 (b) The training and assistance capabilities of Texas Task
21 Force 1 Type 3 Rio Grande Valley must be substantially equivalent to
22 the training and assistance capabilities of the Texas Task Force 1
23 program described in Section 88.302.

24 (c) The headquarters of Texas Task Force 1 Type 3 Rio Grande

1 Valley shall be located in the Rio Grande Valley.

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

- 7 (1) building collapse;
- 8 (2) search and rescue;
- 9 (3) confined space rescue;
- 10 (4) trench rescue;
- 11 (5) high and low angle rescue;
- 12 (6) swift water rescue;
- 13 (7) hazardous materials response;
- 14 (8) public works strike team response;
- 15 (9) heavy transportation extrication;
- 16 (10) wide-area search;
- 17 (11) technical rescue; and
- 18 (12) public safety.

19 (e) The task force will operate, train, respond, and
20 function under Texas Task Force 1.

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

25 (g) A member of Texas Task Force 1 Type 3 Rio Grande Valley
26 may be reimbursed for the member's expenses incurred while
27 activated and deployed in the same manner as a member of Texas Task

1 Force 1.

2 Sec. 88.303. WORKERS' COMPENSATION INSURANCE COVERAGE. (a)
3 Notwithstanding any other law, during any period in which a task
4 force established under this subchapter [~~Texas Task Force 1~~] is
5 activated by the Texas Division of Emergency Management, or during
6 any training session sponsored or sanctioned by a task force
7 established under this subchapter [~~Texas Task Force 1~~], a
8 participating nongovernment member or local government employee
9 member is included in the coverage provided under Chapter 501,
10 Labor Code, in the same manner as an employee, as defined by Section
11 501.001, Labor Code.

12 (b) Service with a task force established under this
13 subchapter [~~Texas Task Force 1~~] by a state employee member who is
14 activated is considered to be in the course and scope of the
15 employee's regular employment with the state.

16 (c) Service with a task force established under this
17 subchapter [~~Texas Task Force 1~~] by an employee of The Texas A&M
18 University System is considered to be in the course and scope of the
19 employee's regular employment with The Texas A&M University System.

20 (d) Notwithstanding Section 412.0123, Labor Code, as added
21 by Chapter 1098, Acts of the 75th Legislature, Regular Session,
22 1997, the Texas Division of Emergency Management shall reimburse
23 the State Office of Risk Management for the actual medical and
24 indemnity benefits paid on behalf of a covered member of a task
25 force established under this subchapter [~~Texas Task Force 1~~] at the
26 beginning of the next state fiscal year occurring after the date the
27 benefits are paid.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2013.