

By: Eiland

H.B. No. 2164

A BILL TO BE ENTITLED

AN ACT

relating to the delegation of authority by the governing body of a political subdivision during a disaster.

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

SECTION 1. Sections 418.1101(b) and (c), Government Code, are amended to read as follows:

(b) The plan may provide for:

(1) delegating:

(A) any administrative duty of the governing body of the political subdivision or any official or employee of the political subdivision to another appropriate person; and

(B) any authority of the governing body of the political subdivision or any official or employee of the political subdivision to the presiding officer of the governing body, the chief administrative or executive officer of the political subdivision, or any city manager of the political subdivision;

(2) establishing orders of succession for performing essential functions of the political subdivision; and

(3) establishing meeting procedures for the governing body of the political subdivision.

(c) The plan may not provide for the delegation of a duty that the governing body or official is required to perform by the Texas Constitution or the delegation of authority that the governing body or official is required or is given exclusive

1 authority to exercise by the Texas Constitution.

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