

BILL ANALYSIS

Senate Research Center

S.B. 1465
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Natural Resources & Economic Development
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Chapter 418 (Emergency Management), Government Code, the governor of the State of Texas (governor) has the authority to declare a state of disaster. Disaster declarations under this statute allow the governor to control access to certain areas of the state, designate evacuation routes, and commandeer private property if the governor finds it necessary to do so in order to deal with the disaster. It is not necessary in most situations to issue a full disaster declaration as described in Chapter 418.

The purpose of S.B. 1465 is to create a limited purpose disaster declaration which the governor can utilize in the case of a non-statewide emergency. Under a limited purpose disaster declaration the governor will retain the ability to suspend state agency rules in order to facilitate expedient state action as well as respond to local requests for assistance.

S.B. 1465 amends current law relating to creating limited purpose disaster declaration authority for the governor and a search and rescue task force in each disaster field response region

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 Subchapter B, Chapter 418, Government Code, by adding Section 418.025, as follows:

Sec. 418.025. LIMITED PURPOSE DECLARATION. (a) Authorizes the governor of the State of Texas (governor), if the governor determines that a disaster can be adequately addressed without invoking all the powers and duties provided by this subchapter, to issue a limited-purpose disaster declaration invoking only the authority provided by Sections 418.016(a) (authorizing the governor to suspend the provision of any regulatory statute relating to state business under certain conditions) and 418.016(e) (authorizing the governor to suspend a deadline imposed by a statute at the request of a political division), by proclamation or executive order.

(b) Provides that a declaration made under this section is subject to Section 418.014 (Declaration of State of Disaster).

SECTION 2. Amends Section 418.043, Government Code, as follows:

Sec. 418.043. OTHER POWERS AND DUTIES. Adds the requirement of the Texas Division of Emergency Management to establish and operate, subject to the availability of funds, a search and rescue task force in each field response region established by the division to assist in search, rescue, and recovery efforts before, during, and after a natural or man-made disaster. Makes nonsubstantive changes.

SECTION 3. Effective date: upon passage or September 1, 2015.