

BILL ANALYSIS

H.B. 3906
By: Frullo
Defense & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note discrepancies in state law regarding the declaration of a state of disaster and the declaration of a local disaster. H.B. 3906 seeks to provide for uniformity in the requirements pertaining to each such disaster declaration.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3906 amends the Government Code to condition the authority of the presiding officer of a political subdivision's governing body to declare a local state of disaster on the presiding officer finding a disaster has occurred or that the occurrence or threat of disaster is imminent. The bill requires an order or proclamation declaring, continuing, or terminating a local state of disaster to include a description of the nature of the disaster, a designation of the area threatened, and a description of the conditions that have brought the local state of disaster about or made possible the termination of the local state of disaster. The bill requires a copy of such an order to be posted on the website of the political subdivision to which the order or proclamation applies if the political subdivision maintains a website. The bill authorizes a political subdivision's presiding officer, in accordance with applicable state law, to request the governor to waive or suspend a deadline imposed by a statute or the orders or rules of a state agency on the political subdivision if the waiver or suspension is reasonably necessary for the political subdivision to cope with a declared local disaster.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.