

By: Frullo

H.B. No. 3906

A BILL TO BE ENTITLED

AN ACT

relating to the declaration of a local state of disaster.

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

SECTION 1. Section 418.108, Government Code, is amended by amending Subsections (a) and (c) and by adding Subsections (b-1) and (d-1) to read as follows:

(a) Except as provided by Subsection (e), the presiding officer of the governing body of a political subdivision may declare a local state of disaster if the presiding officer finds a disaster has occurred or that the occurrence or threat of disaster is imminent.

(b-1) An order or proclamation declaring, continuing, or terminating a local state of disaster issued under this section must include:

(1) a description of the nature of the disaster;
(2) a designation of the area threatened; and
(3) 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.

(c) An order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the city secretary, the county clerk, or the joint board's official records, as applicable. If the political subdivision to which the order or

1 proclamation applies maintains an Internet website, a copy of the
2 order or proclamation shall also be posted on the political
3 subdivision's Internet website.

4 (d-1) In accordance with Section 418.016(e), the presiding
5 officer of a political subdivision may request the governor to
6 waive or suspend a deadline imposed by a statute or the orders or
7 rules of a state agency on the political subdivision, including a
8 deadline relating to a budget or ad valorem tax, if the waiver or
9 suspension is reasonably necessary for the political subdivision to
10 cope with a local disaster declared under this section.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2017.