

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2325
By: Metcalf et al. (Hancock)
Business & Commerce
5/9/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Bill Summary

Section 1

- Texas Division of Emergency Management (TDEM) and Texas A&M Agrilife will coordinate efforts to make 9-1-1 systems capable of receiving text messages.
- TDEM is to develop standards for social media use during and after a disaster.
- TDEM shall develop a mobile app for cell phones for critical information communications during a disaster.
- TDEM is to create a web portal clearinghouse for programs and services available to disaster victims.
- TDEM shall use data analytics to integrate data from multiple sources.
- TDEM shall conduct a study on first responder communications and look to creating a common operating framework for communications during a disaster.

Section 2

- Requires public awareness campaigns on disaster preparedness from multiple agencies.

Section 3

- Requires local emergency officials to develop a plan and publish said plan for using the state's assistance registry, known as the State of Texas Emergency Assistance Registry. This registry already exists, and it allows vulnerable individuals to pre-register for assistance during any kind of disaster.

Committee Substitute Changes

- Removed references that gave Texas A&M what seemed to be an exclusive consultation role.
- Added the requirements regarding the emergency assistance registry.

C.S.H.B. 2325 amends current law relating to information and communication of governmental and other entities regarding disasters and health and human services.

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 C, Chapter 418, Government Code, by adding Sections 418.054, 418.055, 418.056, 418.057, 418.058, and 418.059, as follows:

Sec. 418.054. COORDINATING 9-1-1 TEXT MESSAGE CAPABILITY. Requires the Texas Division of Emergency Management (TDEM), in consultation with the Texas A&M AgriLife Extension Service, to coordinate state and local government efforts to make 9-1-1 emergency service capable of receiving text messages from a cellular telephone or other wireless communication device.

Sec. 418.055. SOCIAL MEDIA USE DURING AND AFTER DISASTERS. Requires TDEM, in consultation with any state agency or private entity TDEM determines is appropriate, to develop standards for the use of social media as a communication tool by governmental entities during and after a disaster. Requires the standards to:

- (1) require state agencies, political subdivisions, first responders, and volunteers that use social media during and after a disaster to post consistent and clear information;
- (2) optimize the effectiveness of social media use during and after a disaster; and
- (3) require that certain official social media accounts be used during and after a disaster only for providing credible sources of information.

Sec. 418.056. DISASTER MOBILE APPLICATION. (a) Requires TDEM to develop a mobile application for wireless communication devices to communicate critical information during a disaster directly to disaster victims and first responders.

(b) Authorizes the mobile application to provide information on:

- (1) road and weather conditions during a disaster; and
- (2) disaster response and recovery activities.

Sec. 418.057. DISASTER WEB PORTAL. Requires TDEM to develop a comprehensive disaster web portal. Requires the web portal to:

- (1) provide disaster information to the public, including information on programs and services available to disaster victims and funding for and expenditures of disaster assistance programs;
- (2) include information on disaster response and recovery activities; and
- (3) provide information on obtaining assistance from the Federal Emergency Management Agency, state agencies, organized volunteer groups, and any other entities providing disaster assistance.

Sec. 418.058. USE OF DATA ANALYTICS IN DISASTER MANAGEMENT. Requires TDEM, to the extent feasible, to use data analytics software to integrate data from federal, state, local, and nongovernmental sources to more effectively manage disaster response and recovery.

Sec. 418.059. STUDY ON STANDARD COMMUNICATION FORMAT. (a) Requires TDEM, to improve the state's response to disasters, to conduct a study on the use of a standard communication format by first responders to create a common interoperable operating framework during a disaster. Requires the study to:

- (1) examine the costs and benefits of promoting the use of a standard communication format to create a comprehensive common operating framework that is interoperable across networks;
- (2) identify any costs that first responders may incur in acquiring or upgrading equipment or services complying with a standard communication format; and

(3) identify necessary actions to adopt a standard communication format.

(b) Requires TDEM, not later than September 1, 2020, to submit to the governor, lieutenant governor, and members of the legislature a report on the findings of the study.

(c) Provides that this section expires December 1, 2020.

SECTION 2. Amends Subchapter F, Chapter 418, Government Code, by adding Section 418.127, as follows:

Sec. 418.127. **DISASTER PREPAREDNESS COMMUNITY OUTREACH.** Requires the following entities, to the extent practicable, to conduct community outreach, including public awareness campaigns, and education activities on disaster preparedness each year:

(1) municipalities and counties;

(2) the Department of Public Safety of the State of Texas (DPS), including TDEM;

(3) the Texas Education Agency;

(4) the Office of Comptroller of Public Accounts of the State of Texas;

(5) the Texas Department of Insurance;

(6) the Texas Department of Transportation;

(7) the Texas Department of Housing and Community Affairs;

(8) the Health and Human Services Commission (HHSC); and

(9) the Department of State Health Services.

SECTION 3. Amends Subchapter H, Chapter 418, Government Code, by adding Sections 418.193 and 418.194, as follows:

Sec. 418.193. **PURCHASE OF INFORMATION TECHNOLOGY COMMODITY ITEMS FOR DISASTER PURPOSES.** Authorizes a public safety entity, as defined by 47 U.S.C. Section 1401, or a county hospital, public hospital, or hospital district to purchase commodity items through the Texas Department of Information Resources (DIR) in accordance with Section 2157.068 (Purchase of Information Technology Commodity Items) if the public safety entity, hospital, or hospital district finds that the purchase of those commodity items will assist the public safety entity, hospital, or hospital district in providing disaster education or preparing for a disaster.

Sec. 418.194. **CONTRACTS WITH CERTAIN ENTITIES FOR DISASTER PURPOSES.** (a) Defines "consolidated telecommunications system" for purposes of this section.

(b) Authorizes a public safety entity, as defined by 47 U.S.C. Section 1401, or a governmental entity of another state to contract with DIR for use of the consolidated telecommunications system in accordance with Section 2170.004 (Contracts With Entities Other Than State Agencies) if the public safety entity or governmental entity finds that the use of the consolidated telecommunications system will assist the entity in providing disaster education or preparing for a disaster.

SECTION 4. Amends Section 531.0312(a), Government Code, as follows:

(a) Provides that the Texas Information and Referral Network at HHSC is the program responsible for the development, coordination, and implementation of a statewide information and referral network that integrates existing community-based structures with state and local agencies. Requires the network to:

- (1) creates this subdivision from existing text;
- (2) be capable of assisting with statewide disaster response and emergency management, including through the use of interstate agreements with out-of-state call centers to ensure preparedness and responsiveness;
- (3) include technology capable of communicating with clients of state and local agencies using electronic text messaging; and
- (4) include a publicly accessible Internet-based system to provide real-time, searchable data about the location and number of clients of state and local agencies using the system and the types of requests made by the clients.

SECTION 5. Amends Section 2157.068(j), Government Code, as follows:

(j) Authorizes the following entities to purchase commodity items through DIR, and be charged a reasonable administrative fee, as provided by this section:

- (1)–(3) makes no changes to these subdivisions;
- (4)–(5) makes nonsubstantive changes to these subdivisions;
- (6) subject to Section 418.193, a public safety entity, as defined by 47 U.S.C. Section 1401; or
- (7) subject to Section 418.193, a county hospital, public hospital, or hospital district.

SECTION 6. Amends Section 2170.004, Government Code, as follows:

Sec. 2170.004. **CONTRACTS WITH ENTITIES OTHER THAN STATE AGENCIES.**
Authorizes DIR to contract for use of the consolidated telecommunications system with:

- (1)–(4) makes no changes to these subdivisions;
- (5)–(6) makes nonsubstantive changes to these subdivisions;
- (7) subject to Section 418.194, a public safety entity, as defined by 47 U.S.C. Section 1401; and
- (8) subject to Section 418.194, a governmental entity of another state.

SECTION 7. Effective date: September 1, 2019.