By:  Huffman S.B. No. 416

(In the Senate - Filed January 23, 2019; February 14, 2019, read first time and referred to Committee on State Affairs; March 6, 2019, reported favorably by the following vote: Yeas 9, Nays 0; March 6, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton       X

Fallon          X

Hall            X

Lucio           X

Nelson          X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

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

SECTION 1.  Subchapter H, Chapter 418, Government Code, is amended by adding Section 418.193 to read as follows:

Sec. 418.193.  ATTORNEY GENERAL AS LEGAL ADVISOR ON ISSUES RELATED TO DECLARED DISASTER. (a)  This section applies only during a declared state of disaster under Section 418.014 and the 90-day period following the expiration or termination of the disaster declaration.

(b)  The attorney general may provide legal counsel to a political subdivision subject to a declared state of disaster under Section 418.014 on issues related to disaster mitigation, preparedness, response, and recovery applicable to the area subject to the disaster declaration.

(c)  A request for counsel under this section may be submitted only by:

(1)  the emergency management director designated under Section 418.1015 for the political subdivision;

(2)  the county judge or a commissioner of a county subject to the declaration; or

(3)  the mayor of a municipality subject to the declaration.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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