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H.B. No. 351

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to emergency management for cyber attacks against this  
3 state.

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

5 SECTION 1. Section 418.002, Government Code, is amended to  
6 read as follows:

7 Sec. 418.002. PURPOSES. The purposes of this chapter are  
8 to:

9 (1) reduce vulnerability of people and communities of  
10 this state to damage, injury, and loss of life and property  
11 resulting from natural or man-made catastrophes, riots, [~~or~~]  
12 hostile military or paramilitary action, or cyber attacks;

13 (2) prepare for prompt and efficient rescue, care, and  
14 treatment of persons victimized or threatened by disaster;

15 (3) provide a setting conducive to the rapid and  
16 orderly restoration and rehabilitation of persons and property  
17 affected by disasters;

18 (4) clarify and strengthen the roles of the governor,  
19 state agencies, the judicial branch of state government, and local  
20 governments in prevention of, preparation for, response to, and  
21 recovery from disasters;

22 (5) authorize and provide for cooperation in disaster  
23 mitigation, preparedness, response, and recovery;

24 (6) authorize and provide for coordination of

1 activities relating to disaster mitigation, preparedness,  
2 response, and recovery by agencies and officers of this state, and  
3 similar state-local, interstate, federal-state, and foreign  
4 activities in which the state and its political subdivisions may  
5 participate;

6 (7) provide an emergency management system embodying  
7 all aspects of predisaster preparedness and postdisaster response;

8 (8) assist in mitigation of disasters caused or  
9 aggravated by inadequate planning for and regulation of public and  
10 private facilities and land use; and

11 (9) provide the authority and mechanism to respond to  
12 an energy emergency.

13 SECTION 2. Section 418.004, Government Code, is amended by  
14 amending Subdivision (1) and adding Subdivision (1-a) to read as  
15 follows:

16 (1) "Cyber attack" means an attempt to damage,  
17 disrupt, or gain unauthorized access to a computer, computer  
18 network, or computer system.

19 (1-a) "Disaster" means the occurrence or imminent  
20 threat of widespread or severe damage, injury, or loss of life or  
21 property resulting from any natural or man-made cause, including  
22 fire, flood, earthquake, wind, storm, wave action, oil spill or  
23 other water contamination, volcanic activity, epidemic, air  
24 contamination, blight, drought, infestation, explosion, riot,  
25 hostile military or paramilitary action, cyber attack, extreme  
26 heat, other public calamity requiring emergency action, or energy  
27 emergency.

1           SECTION 3. Section 418.0195(b), Government Code, is amended  
2 to read as follows:

3           (b) The governor may order the Department of Information  
4 Resources to disconnect a computer network from the Internet in the  
5 event of a cyber attack or other substantial external threat to the  
6 computer network.

7           SECTION 4. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2019.