

By: Creighton

S.B. No. 2328

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the confidentiality and disclosure of certain  
3 information relating to emergency management and governmental  
4 functions.

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

6 SECTION 1. Section 418.004, Government Code, is amended by  
7 amending Subdivision (1) and adding Subdivision (1-a) to read as  
8 follows:

9 (1) "Critical infrastructure" has the meaning  
10 assigned by Section 421.001.

11 (1-a) "Disaster" means the occurrence or imminent  
12 threat of widespread or severe damage, injury, or loss of life or  
13 property resulting from any natural or man-made cause, including  
14 fire, flood, earthquake, wind, storm, wave action, oil spill or  
15 other water contamination, volcanic activity, epidemic, air  
16 contamination, blight, drought, infestation, explosion, riot,  
17 hostile military or paramilitary action, extreme heat, other public  
18 calamity requiring emergency action, or energy emergency.

19 SECTION 2. Section 418.176, Government Code, is amended by  
20 amending Subsection (b) and adding Subsection (c) to read as  
21 follows:

22 (b) In this section and Sections 418.177-418.183,  
23 "governmental entity" includes:

24 (1) the governing body of a nonprofit corporation

1 organized under Chapter 67, Water Code, that:

2 (A) provides a water supply or wastewater  
3 service, or both; ~~(A)~~ and

4 (B) is exempt from ad valorem taxation under  
5 Section 11.30, Tax Code; and

6 (2) an emergency service organization as defined by  
7 Section 101.001, Civil Practice and Remedies Code.

8 (c) In this section, "staffing requirements" includes  
9 scheduling information for any fire-fighting, emergency medical  
10 services, emergency dispatch, or law enforcement personnel.

11 SECTION 3. Section 418.181, Government Code, is amended to  
12 read as follows:

13 Sec. 418.181. CONFIDENTIALITY OF CERTAIN INFORMATION  
14 RELATING TO CRITICAL INFRASTRUCTURE. Those documents or portions  
15 of documents in the possession of a governmental entity are  
16 confidential if they identify the technical details of ~~[particular~~  
17 ~~vulnerabilities of]~~ critical infrastructure ~~[to an act of~~  
18 ~~terrorism]~~.

19 SECTION 4. Section 418.182, Government Code, is amended by  
20 adding Subsection (d) to read as follows:

21 (d) In this section, "security system" includes station  
22 alert systems used as part of a dispatching system for  
23 firefighting, emergency medical services, and law enforcement  
24 personnel.

25 SECTION 5. Section 552.024, Government Code, is amended by  
26 adding Subsection (g) to read as follows:

27 (g) For purposes of this section, a volunteer fire fighter,

1 as defined by Section 78.101, Civil Practice and Remedies Code, is  
2 considered an employee of a governmental body who begins employment  
3 on the date the volunteer fire fighter commences providing services  
4 to the governmental body.

5 SECTION 6. This Act takes effect September 1, 2019.