

BILL ANALYSIS

Senate Research Center
87R7034 SRA-D

S.B. 826
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The state currently operates a statewide alert system for locating abducted children, missing persons with intellectual disabilities, missing senior citizens and persons with Alzheimer's disease, individuals suspected of killing or causing serious bodily injury to a law enforcement officer, missing military members, and missing adults.

S.B. 826 strengthens and further modernizes this statewide alert system by requiring the Texas Department of Transportation (TxDOT) to enter agreements with private entities to provide a statewide system of digital signs capable of displaying images useful in locating such missing individuals.

Digital signs are already a critical component in getting information from the public when investigative speed is critical. Images, as compared to text descriptions, will better capture motorists' attention and can be quickly comprehended within a short time period.

S.B. 826 provides that such agreements must generate net revenue to the state, and tax revenue may not be used to fund the installation of operation of the dynamic message signs. S.B. 826 provides that TxDOT may accept gifts and grants of money, equipment, or other resources necessary to install and operate the dynamic message signs.

S.B. 826 provides that TxDOT is not required to enter into an agreement with a private entity if the department receives notice from the United States Department of Transportation Federal Highway Administration that the use of the dynamic message signs would result in the loss of federal highway funding or other punitive actions taken against this state due to noncompliance with federal laws, regulations, or policies.

As proposed, S.B. 826 amends current law relating to an agreement with a private entity for dynamic message signs used in certain statewide alert systems.

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. (a) Provides that this section takes effect only if the Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

(b) Provides that Chapter 411 (Department of Public Safety of the State of Texas), Government Code, is amended by adding Subchapter K-1, as follows:

SUBCHAPTER K-1. DYNAMIC MESSAGE SIGNS FOR ALERT SYSTEMS

Sec. 411.301. DYNAMIC MESSAGE SIGNS. (a) Requires the Texas Department of Transportation (TxDOT), except as provided by Subsection (c), to enter into an agreement with a private entity to provide information necessary for statewide alert

systems created under Subchapters L, M, P, P-1, and Q as added by Chapter 227 (H.B. 1769), Acts of the 86th Legislature, Regular Session, 2019, through a system of dynamic message signs that are:

(1) located across the state; and

(2) capable of displaying digital images useful in locating the missing individual.

(b) Requires that the agreement under Subsection (a) generate net revenue to the state, and prohibits tax revenue from being used to fund the installation and operation of the dynamic message signs described by Subsection (a). Authorizes TxDOT to accept gifts and grants of money, equipment, or other resources necessary to install and operate the dynamic message signs described by Subsection (a).

(c) Provides that TxDOT is not required to enter into an agreement under Subsection (a) if the Department of Public Safety of the State of Texas (DPS) receives notice from the United States Department of Transportation Federal Highway Administration that the use of the dynamic message signs described by that subsection would result in the loss of federal highway funding or other punitive actions taken against this state due to noncompliance with federal laws, regulations, or policies.

SECTION 2. (a) Provides that this section takes effect only if the Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

(b) Amends Chapter 411, Government Code, by adding Subchapter K-1, as follows:

SUBCHAPTER K-1. DYNAMIC MESSAGE SIGNS FOR ALERT SYSTEMS

Sec. 411.301. DYNAMIC MESSAGE SIGNS. (a) Requires TxDOT, except as provided by Subsection (c), to enter into an agreement with a private entity to provide information necessary for statewide alert systems created under Subchapters L, M, P, Q as added by Chapter 220 (H.B. 833), Acts of the 86th Legislature, Regular Session, 2019, and Q as added by Chapter 227 (H.B. 1769), Acts of the 86th Legislature, Regular Session, 2019, through a system of dynamic message signs that are:

(1) located across the state; and

(2) capable of displaying digital images useful in locating the missing individual.

(b) Requires that the TxDOT agreement under Subsection (a) generate net revenue to the state, and prohibits tax revenue from being used to fund the installation and operation of the dynamic message signs described by Subsection (a). Authorizes TxDOT to accept gifts and grants of money, equipment, or other resources necessary to install and operate the dynamic message signs described by Subsection (a).

(c) Provides that TxDOT is not required to enter into an agreement under Subsection (a) if DPS receives notice from the United States Department of Transportation Federal Highway Administration that the use of the dynamic message signs described by that subsection would result in the loss of federal highway funding or other punitive actions taken against this state due to noncompliance with federal laws, regulations, or policies.

SECTION 3. Effective date: September 1, 2021.