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By:  Raymond H.B. No. 2161

A BILL TO BE ENTITLED

AN ACT

relating to analyzing and mitigating transportation security threats in this state.

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

SECTION 1.  DEFINITIONS. In this Act:

(1)  "Commission" means the Public Safety Commission.

(2)  "Department" means the Department of Public Safety of the State of Texas.

(3)  "Director" means the public safety director.

(4)  "Division" means the Intelligence and Counterterrorism division of the department.

SECTION 2.  TRANSPORTATION SECURITY THREAT ANALYSIS. (a) The division shall conduct an analysis of emerging and potential future threats to transportation security in this state. The analysis must include emerging and potential future threats posed by the following:

(1)  evolving tactics by terrorist organizations that may pose a catastrophic risk to an aviation or surface transportation entity;

(2)  explosive devices or attacks involving the use of explosives that may cause catastrophic damage to an aviation or surface transportation system;

(3)  the release of chemical or biological agents in either aviation or surface transportation systems;

(4)  cyberthreat actors seeking to undermine confidence in transportation systems or cause service disruptions that jeopardize transportation security;

(5)  unmanned aerial systems with the capability of inflicting harm on transportation targets;

(6)  individuals or groups seeking to attack soft targets, public areas, or crowded spaces of transportation systems, including attacks against transportation security personnel;

(7)  foreign actors seeking to exploit vulnerabilities posed by inconsistent or inadequate security screening protocols at last point of departure airports with direct flights to this state;

(8)  information-sharing challenges within state government and between state government and private and governmental entities; and

(9)  growth in passenger volume in both the aviation and surface transportation sectors in this state.

(b)  In conducting the analysis required under Subsection (a) of this section, the division shall engage transportation stakeholders and account for security concerns of transportation operators by:

(1)  convening at least three industry day events for transportation stakeholders to hear from relevant public and private sector security partners and provide feedback on emerging threats identified by the transportation stakeholders;

(2)  developing strategies to solicit feedback on a consistent basis from transportation stakeholders across all modes of transportation and providing consistent responses to stakeholder concerns;

(3)  improving the quality, timeliness, and relevancy of information-sharing products disseminated by the division to transportation stakeholders, including classified information-sharing products;

(4)  coordinating security incident response and communications drills, including tabletop exercises, to improve incident preparedness and response capabilities across transportation modes and among transportation systems;

(5)  encouraging regular communication between governmental entities responsible for transportation security and transportation stakeholders; and

(6)  establishing regular opportunities for senior department leadership to engage with transportation stakeholders regarding changes in the threat environment and ways the department can offer security support to address those changes.

(c)  Not later than June 1, 2022, the division shall submit the analysis required under Subsection (a) of this section to the commission and director.

SECTION 3.  MITIGATION. Not later than October 1, 2022, the director shall:

(1)  develop, as appropriate, a threat mitigation strategy for each of the threats examined in the analysis; and

(2)  assign appropriate department resources to address those threats based on the calculated risk or provide recommendations to the appropriate governmental entity responsible for addressing those threats.

SECTION 4.  REPORT TO THE LEGISLATURE. Not later than December 1, 2022, the director shall provide a written report to each legislative standing committee with primary jurisdiction over transportation on the results of the analysis required under Section 2 of this Act and relevant mitigation strategies developed in accordance with Section 3 of this Act.

SECTION 5.  EXPIRATION. This Act expires December 31, 2022.

SECTION 6.  EFFECTIVE DATE. This Act takes effect September 1, 2021.