

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;

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

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

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

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

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

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

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

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

25 (2) developing strategies to solicit feedback on a
26 consistent basis from transportation stakeholders across all modes
27 of transportation and providing consistent responses to

1 stakeholder concerns;

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

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

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

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

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

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

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

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

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

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

8 SECTION 6. EFFECTIVE DATE. This Act takes effect September
9 1, 2021.