

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 418.004, Government Code, is amended by adding Subdivision (3-a) to read as follows:

(3-a) "Illuminated display" means a device that is capable of displaying a flashing light and a continuous light in either the color white or the colors blue, green, red, and yellow.

SECTION 2. Section 418.015(a), Government Code, is amended to read as follows:

(a) An executive order or proclamation declaring a state of disaster:

(1) activates the disaster recovery and rehabilitation aspects of the state emergency management plan applicable to the area subject to the declaration; ~~and~~

(2) authorizes the deployment and use of any forces to which the plan applies and the use or distribution of any supplies, equipment, and materials or facilities assembled, stockpiled, or arranged to be made available under this chapter or other law relating to disasters; and

(3) activates for the area subject to the declaration the disaster identification system described by Section 418.0151.

SECTION 3. Subchapter B, Chapter 418, Government Code, is amended by adding Section 418.0151 to read as follows:

Sec. 418.0151. DISASTER IDENTIFICATION SYSTEM.

(a) In an area subject to a state of disaster declaration, a person may elect to participate in the disaster identification system activated for the area. The system must authorize the use of an illuminated display to communicate with disaster relief personnel.

(b) A person participating in the disaster identification system

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

shall:

(1) affix to each individual and domesticated animal in the person's household an illuminated display of the following colors:

(A) if the person has a monochromatic illuminated display, the color white for each individual and animal; or

(B) if the person has a multicolored illuminated display:

(i) blue for each individual 18 years of age or older;

(ii) green for each individual with a disability;

(iii) red for each individual younger than 18 years of age; and

(iv) yellow for each animal; and

(2) using the illuminated display, signal to disaster relief personnel responding to the area after the disaster with:

(A) a continuous light on the display of each household member who does not need medical assistance; or

(B) a flashing light on the display of each household member who needs medical assistance.

(c) Disaster relief personnel may patrol the designated disaster area by air or ground at night to locate individuals or animals with activated illuminated displays.

SECTION 4. Section 418.042(a), Government Code, is amended to read as follows:

(a) The division shall prepare and keep current a comprehensive state emergency management plan. The plan may include:

(1) provisions for prevention and minimization of injury and damage caused by disaster;

(2) provisions for prompt and effective response to disaster;

(3) provisions for emergency relief;

(4) provisions for energy emergencies;

SECTION 4. Same as House version.

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (5) identification of areas particularly vulnerable to disasters;
- (6) recommendations for zoning, building restrictions, and other land-use controls, safety measures for securing mobile homes or other nonpermanent or semipermanent structures, and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact;
- (7) provisions for assistance to local officials in designing local emergency management plans;
- (8) authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, fire, or other disaster;
- (9) preparation and distribution to the appropriate state and local officials of state catalogs of federal, state, and private assistance programs;
- (10) organization of manpower and channels of assistance;
- (11) coordination of federal, state, and local emergency management activities;
- (12) coordination of the state emergency management plan with the emergency management plans of the federal government;
- (13) coordination of federal and state energy emergency plans;
- (14) provisions for providing information to local officials on activation of the Emergency Alert System established under 47 C.F.R. Part 11;
- (15) a database of public facilities that may be used under Section 418.017 to shelter individuals during a disaster, including air-conditioned facilities for shelter during an extreme heat disaster and fortified structures for shelter during a wind disaster;
- (16) provisions for quickly replenishing the food supplies of

SENATE VERSION (IE)

CONFERENCE

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

area food banks or food pantries following a disaster;
(17) provisions for the use of the disaster identification system described by Section 418.0151; and
(18) [(17)] other necessary matters relating to disasters.

No equivalent provision.

SENATE VERSION (IE)

SECTION __. Chapter 418, Government Code, is amended by adding Subchapter J to read as follows:
SUBCHAPTER J. WELLNESS CHECKS FOR MEDICALLY FRAGILE INDIVIDUALS DURING CERTAIN EMERGENCIES
Sec. 418.301. DEFINITIONS. In this subchapter:
(1) "Commission" means the Health and Human Services Commission.
(2) "Department" means the Department of State Health Services.
(3) "Emergency assistance registry" means the registry maintained by the division that provides local emergency planners and emergency responders with additional information on the needs of certain individuals in their communities.
(4) "First responder" means any federal, state, or local personnel who may respond to a disaster, including:
(A) public health and public safety personnel;
(B) commissioned law enforcement personnel;
(C) fire protection personnel, including volunteer firefighters;
(D) emergency medical services personnel, including hospital emergency facility staff;
(E) a member of the National Guard; or
(F) a member of the Texas State Guard.
(5) "Medically fragile individual" means any individual who, during a time of disaster or emergency, would be particularly

CONFERENCE

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

vulnerable because of a medical condition, including individuals:

(A) with Alzheimer's disease and other related disorders;

(B) receiving dialysis services;

(C) who are diagnosed with a debilitating chronic illness;

(D) who are dependent on oxygen treatment; and

(E) who have medical conditions that require 24-hour supervision from a skilled nurse.

Sec. 418.302. MEDICALLY FRAGILE INDIVIDUAL DESIGNATION. The division shall develop a process for designating individuals who are included in the emergency assistance registry as medically fragile for the purposes of this chapter.

Sec. 418.303. EMERGENCY ASSISTANCE REGISTRY ACCESS. The division shall authorize the following persons to access the emergency assistance registry to assist medically fragile individuals during an event described by Section 418.305:

(1) the commission;

(2) the department;

(3) first responders;

(4) local governments; and

(5) local health departments.

Sec. 418.304. REQUIRED WELLNESS CHECK. The division shall collaborate with the persons authorized to access the emergency assistance registry under Section 418.303 and with applicable municipalities and counties to ensure that a wellness check is conducted on each medically fragile individual listed in the emergency assistance registry and located in an area that experiences an event described by Section 418.305 to ensure the individual has:

(1) continuity of care; and

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(2) the ability to continue using electrically powered medical equipment, if applicable.

Sec. 418.305. EVENTS REQUIRING WELLNESS CHECKS. (a) The division, in collaboration with the commission and the department, shall adopt rules regarding which events require a wellness check, including:

(1) an extended power, water, or gas outage;

(2) a state of disaster declared under this chapter; or

(3) any other event considered necessary by the commission, the department, or the division.

(b) If more than one disaster is declared for the same event, or the same event qualifies as an event requiring a wellness check for multiple reasons under Subsection (a), only one wellness check is required to be conducted under this subchapter.

Sec. 418.306. REQUIREMENTS FOR WELLNESS CHECK.

(a) The division, in collaboration with the commission and the department, by rule shall develop minimum standards for conducting wellness checks. Each county and municipality shall adopt procedures for conducting wellness checks in compliance with the minimum standards.

(b) A wellness check on a medically fragile individual under this subchapter must:

(1) include:

(A) an automated telephone call and text to the individual;

(B) a personalized telephone call to the individual; and

(C) if the individual is unresponsive to a telephone call under Paragraph (B), an in-person wellness check; and

(2) be conducted in accordance with the minimum standards prescribed by division rule and the procedures of the applicable county or municipality.

(c) A wellness check must be conducted as soon as practicable

House Bill 671
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

but not later than 24 hours after the event requiring a wellness check occurs.

Sec. 418.307. RULES. The division, in collaboration with the commission and the department, shall adopt rules to implement this subchapter. [FA1]

No equivalent provision.

SECTION __. As soon as practicable after the effective date of this Act, the Texas Division of Emergency Management shall adopt the rules necessary to implement Subchapter J, Chapter 418, Government Code, as added by this Act. [FA1]

SECTION 5. This Act takes effect September 1, 2021.

SECTION 5. Same as House version.