

BILL ANALYSIS

H.B. 560
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Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Terrorists and other nefarious actors are constantly evolving their methods and tactics to attack transportation systems. Government agencies responsible for the security of these systems must be ever vigilant, and a complete review of current realities, trends, and threats would help improve security and inform the legislature and relevant agencies about steps that could be taken to improve that security. Communication and information sharing among state and local transportation stakeholders are paramount to ensuring the security of the transportation sector. Accordingly, H.B. 560 requires the Intelligence and Counterterrorism Division of the Department of Public Safety to conduct an analysis of threats and engage transportation stakeholders to mitigate such threats.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 560 requires the Intelligence and Counterterrorism division of the Department of Public Safety (DPS) to conduct an analysis of emerging and potential future threats to transportation security in Texas. The analysis must include emerging and potential future threats posed by the following:

- evolving tactics by terrorist organizations that may pose a catastrophic risk to an aviation or surface transportation entity;
- explosive devices or attacks involving the use of explosives that may cause catastrophic damage to an aviation or surface transportation system;
- the release of chemical or biological agents in either aviation or surface transportation systems;
- cyberthreat actors seeking to undermine confidence in transportation systems or cause service disruptions that jeopardize transportation security;
- unmanned aerial systems with the capability of inflicting harm on transportation targets;
- individuals or groups seeking to attack soft targets, public areas, or crowded spaces of transportation systems, including attacks against transportation security personnel;
- foreign actors seeking to exploit vulnerabilities posed by inconsistent or inadequate security screening protocols at last point of departure airports with direct flights to Texas;
- information-sharing challenges within state government and between state government and private and governmental entities; and

- growth in passenger volume in both the aviation and surface transportation sectors in Texas.

The bill requires the division, in conducting the analysis, to engage transportation stakeholders and account for security concerns of transportation operators by taking certain prescribed actions. The division must submit the analysis to DPS and the public safety director not later than June 1, 2024.

H.B. 560 requires the director, not later than October 1, 2024, to do the following with respect to threat mitigation:

- develop, as appropriate, a threat mitigation strategy for each of the threats examined in the analysis; and
- assign appropriate DPS resources to address those threats based on the calculated risk or provide recommendations to the appropriate governmental entity responsible for addressing those threats.

The bill requires the director, not later than December 1, 2024, to provide a written report to each legislative standing committee with primary jurisdiction over transportation on the results of the analysis and any relevant mitigation strategies developed. The bill's provisions expire December 31, 2024.

EFFECTIVE DATE

September 1, 2023.