

## **BILL ANALYSIS**

Senate Research Center

S.B. 1387  
By: Hughes  
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. 1387 strengthens and further modernizes this statewide alert system by requiring the Texas Department of Transportation (TxDOT) to add to current alert signs along the highways the capability of displaying a picture of a missing person, abductor, suspect vehicle, or other images helpful to recovering the missing or exploited Texan more quickly. It also allows TxDOT to enter agreements with private entities to defray costs to taxpayers of this needed tool.

Digital signs are already critical in getting information from the public when investigative speed is critical. Compared to text descriptions, images will better capture motorists' attention and can be quickly comprehended.

S.B. 1387 provides that if such public-private agreements are utilized, they must generate net revenue for the state, and tax revenue may not be used to fund the installation or operation of the dynamic message signs. S.B. 1387 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. 1387 provides that TxDOT may not 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. 1387 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) 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 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 (Statewide America's Missing: Broadcast Emergency Response (AMBER) Alert System for Abducted Children and Missing Persons with Intellectual Disabilities), M (Silver Alert for Missing Senior Citizens and Persons with Alzheimer's Disease), P (Blue Alert System), P-1 (Camo Alert for Missing Military Members), and Q (Alert for Missing Adults) 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 TxDOT 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 (Camo Alert for Missing Military Members) as added by Chapter 220 (H.B. 833), Acts of the 86th Legislature, Regular Session, 2019, and Q (Alert for Missing Adults) 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) Provides that the agreement under Subsection (a) is required to generate net revenue to the state, and tax revenue is prohibited 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 TxDOT 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, 2023.