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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

King

Amend H.B. No. 2 (house committee report) as follows:

(1) On page 3, strike lines 3 through 4 and substitute the following:

Sec. 421.1243. APPLICABILITY OF OTHER LAW TO COUNCIL.
Chapter 2001 does not apply to the council.

Sec. 421.1245. CERTAIN GRANT APPLICATIONS AND SECURITY
INFORMATION: CLOSED MEETING. (a) The council may conduct a closed
meeting in accordance with Subchapter E, Chapter 551, to deliberate
or confer with one or more employees, consultants of the council, or
legal counsel of the council to discuss:

(1) a grant application under Section 421.127 being
considered by the council if, before conducting the closed meeting,
a majority of the voting members of the council in an open meeting
vote that deliberating or conferring in an open meeting would:

(A) reveal the grant applicant's confidential
information;

(B) reveal national security information or
other sensitive security information of this state or a political
subdivision of this state; or

(C) have a detrimental effect on the position of
the council in negotiations with a grant applicant; or

(2) a matter related to the establishment of emergency
management infrastructure, the purchase or use of emergency
management equipment, or the training of emergency management
personnel, if an open meeting would reveal national security
information or other sensitive security information of this state
or a political subdivision of this state.

(b) Notwithstanding any other law, the council may disclose
a matter discussed under Subsection (a) with any state agency if the

1 presiding officer of the council determines it necessary for the
2 establishment of emergency management infrastructure, the purchase
3 or use of emergency management equipment, or the training of
4 emergency management personnel.

5 (c) Any vote or final action taken on a matter described by
6 Subsection (a) must be conducted in an open meeting.

7 Sec. 421.1247. GRANT APPLICATION AND DOCUMENTATION
8 CONFIDENTIAL. A grant application and related documentation under
9 Section 421.127 is confidential and not subject to disclosure under
10 Chapter 552.

11 (2) On page 6, between lines 24 and 25, insert the
12 following:

13 SECTION 2. Subchapter Z, Chapter 271, Local Government
14 Code, is amended by adding Section 271.909 to read as follows:

15 Sec. 271.909. GOVERNOR APPROVAL OF PURCHASES OF PUBLIC
16 SAFETY RADIO COMMUNICATION SYSTEMS REQUIRED; EXPIRATION. (a) In
17 this section, "public safety radio communication system" means a
18 radio communication system, including infrastructure, equipment,
19 software, and other similar products as the governor determines
20 necessary, that is used by a governmental entity in public safety
21 operations, such as law enforcement, fire protection, emergency
22 medical services, and disaster response and recovery.

23 (b) The governor by rule shall establish standards for
24 determining whether the purchase and use of a public safety radio
25 communication system by a political subdivision would materially
26 impair interoperability among public safety radio communication
27 systems used by other governmental entities in the region of the
28 political subdivision proposing the purchase. The standards must:

29 (1) include minimum technical specifications that the
30 system must meet;

31 (2) be based on the strategic plan designed and

1 implemented under Section 421.096(1), Government Code; and

2 (3) contain limitations on the use of burdensome
3 procedures to achieve interoperability among systems.

4 (c) A political subdivision may not purchase a public safety
5 radio communication system unless the governor reviews and approves
6 the proposed purchase under this section.

7 (d) In the form and manner prescribed by the governor by
8 rule, a political subdivision may request that the governor conduct
9 a review of a proposed purchase of a public safety radio
10 communication system under this section.

11 (e) The governor shall conduct a review requested under
12 Subsection (d) and, not later than the 90th day after the date on
13 which the governor received the request, shall in writing:

14 (1) approve the request;

15 (2) summarily deny the request; or

16 (3) perform all of the following:

17 (A) conditionally deny the request;

18 (B) specify the deficient standards and other
19 criteria on which the denial was based; and

20 (C) provide corrective measures by which the
21 political subdivision may alter the proposal in order to obtain
22 approval under this section.

23 (f) The governor shall approve a proposed purchase reviewed
24 under this section only if the proposed purchase and use of the
25 system does not materially impair the interoperability among public
26 safety radio communication systems used by other governmental
27 entities in the region of the political subdivision proposing the
28 purchase, in accordance with the standards established under
29 Subsection (b). The governor shall deny as provided by Subsection
30 (e)(2) or (3) a proposed purchase reviewed under this section if the
31 proposed purchase and use of the public safety radio communication

1 system materially impairs the interoperability among public safety
2 radio communication systems used by other governmental entities in
3 the region of the political subdivision proposing the purchase.

4 (g) After a summary denial under Subsection (e)(2), a
5 political subdivision may request the governor to, and if requested
6 the governor shall, specify in writing the deficient standards and
7 provide corrective measures, as described by Subsections (e)(3)(B)
8 and (C).

9 (h) The governor shall by rule provide procedures for
10 appealing a denial under Subsection (e).

11 (i) This section expires January 1, 2027.

12 SECTION 3. Effective January 1, 2027, Subchapter Z, Chapter
13 271, Local Government Code, is amended by adding Section 271.910 to
14 read as follows:

15 Sec. 271.910. COUNCIL APPROVAL OF PURCHASES OF PUBLIC
16 SAFETY RADIO COMMUNICATION SYSTEMS REQUIRED. (a) In this section:

17 (1) "Council" means the Texas Interoperability
18 Council established under Subchapter G, Chapter 421.

19 (2) "Public safety radio communication system" means a
20 radio communication system, including infrastructure, equipment,
21 software, and other similar products as the council determines
22 necessary, that is used by a governmental entity in public safety
23 operations, such as law enforcement, fire protection, emergency
24 medical services, and disaster response and recovery.

25 (b) The council by rule shall establish standards for
26 determining whether the purchase and use of a public safety radio
27 communication system by a political subdivision would materially
28 impair interoperability among public safety radio communication
29 systems used by other governmental entities in the region of the
30 political subdivision proposing the purchase. The standards must:

31 (1) include minimum technical specifications that the

1 system must meet;

2 (2) be based on the strategic plan designed and
3 implemented under Section 421.096(1), Government Code; and

4 (3) contain limitations on the use of burdensome
5 procedures to achieve interoperability among systems.

6 (c) A political subdivision may not purchase a public safety
7 radio communication system unless the council reviews and approves
8 the proposed purchase under this section.

9 (d) In the form and manner prescribed by the council by
10 rule, a political subdivision may request that the council conduct
11 a review of a proposed purchase of a public safety radio
12 communication system under this section.

13 (e) The council shall conduct a review requested under
14 Subsection (d) and, not later than the 90th day after the date on
15 which the council received the request, shall in writing:

16 (1) approve the request;

17 (2) summarily deny the request; or

18 (3) perform all of the following:

19 (A) conditionally deny the request;

20 (B) specify the deficient standards and other
21 criteria on which the denial was based; and

22 (C) provide corrective measures by which the
23 political subdivision may alter the proposal in order to obtain
24 approval under this section.

25 (f) The council shall approve a proposed purchase reviewed
26 under this section only if the proposed purchase and use of the
27 system does not materially impair the interoperability among public
28 safety radio communication systems used by other governmental
29 entities in the region of the political subdivision proposing the
30 purchase, in accordance with the standards established under
31 Subsection (b). The council shall deny as provided by Subsection

1 (e)(2) or (3) a proposed purchase reviewed under this section if the
2 proposed purchase and use of the public safety radio communication
3 system materially impairs the interoperability among public safety
4 radio communication systems used by other governmental entities in
5 the region of the political subdivision proposing the purchase.

6 (g) After a summary denial under Subsection (e)(2), a
7 political subdivision may request the council to, and if requested
8 the council shall, specify in writing the deficient standards and
9 provide corrective measures, as described by Subsections (e)(3)(B)
10 and (C).

11 (h) The council shall by rule provide procedures for
12 appealing a denial under Subsection (e).

13 SECTION 4. Not later than January 1, 2026, the governor
14 shall adopt the rules required by Section 271.909, Local Government
15 Code, as added by this Act.

16 SECTION 5. Section 271.909, Local Government Code, as added
17 by this Act, applies only to the purchase of a public safety radio
18 communication system by a political subdivision that occurs on or
19 after January 1, 2026.

20 SECTION 6. Section 271.910, Local Government Code, as added
21 by this Act, applies only to the purchase of a public safety radio
22 communication system by a political subdivision that occurs on or
23 after January 1, 2027.

24 SECTION 7. (a) In this section:

25 (1) "Council" means the Texas Interoperability
26 Council established under Subchapter G, Chapter 421, Government
27 Code, as added by this Act.

28 (2) "Program" means the program of reviewing purchases
29 by political subdivisions under Section 271.909, Local Government
30 Code, as added by this Act.

31 (b) Not later than December 1, 2026, the governor and the

1 council shall enter into a memorandum of understanding to transfer
2 on January 1, 2027, from the governor to the council all powers,
3 duties, and functions of the governor's office related to the
4 program, including, as necessary, any employee positions,
5 equipment, facilities, contracts, and appropriated money
6 associated with the program.

7 (c) On January 1, 2027, a rule, form, policy, procedure, or
8 decision of the governor's office related to a power, duty, or
9 function of the program continues in effect as a rule, form, policy,
10 procedure, or decision of the council and remains in effect until
11 amended or replaced by the council. Notwithstanding any other law,
12 beginning September 1, 2026, the council may propose rules, forms,
13 policies, and procedures related to the program to be transferred
14 to the council under this Act.

15 (3) On page 7, line 10, strike "This Act" and substitute
16 "Except as otherwise provided by this Act, this Act".

17 (4) Renumber the SECTIONS of the bill accordingly.