

By: Bell of Montgomery

H.B. No. 242

A BILL TO BE ENTITLED

AN ACT

relating to flood safety and disaster preparedness.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter H, Chapter 418, Government Code, is amended by adding Section 418.193 to read as follows:

Sec. 418.193. OUTDOOR WARNING SIRENS REQUIRED IN FLOOD-RISK ZONES. (a) In this section:

(1) "Flood-risk zone" means an area along a river impacted by a flooding event at least once in the preceding 100 years.

(2) "Outdoor warning siren" means a system that produces a sound designed to alert a person who is outdoors of an imminent flooding event and encourage the person to immediately seek shelter.

(b) Except as provided by Subsection (e), for each flood-risk zone, the division shall require the appropriate municipality or county to install, maintain, and operate outdoor warning sirens at two-mile intervals near the river in the area classified as a flood-risk zone in accordance with division rules adopted under this section.

(c) Each outdoor warning siren must be equipped with:

(1) a water-level sensor; and

(2) a solar-powered backup energy source.

(d) If the site of an outdoor warning siren installation is

1 within:

2 (1) the boundaries of a municipality, the municipality
3 shall install, maintain, and operate the siren; or

4 (2) the unincorporated area of a county, the county
5 shall install, maintain, and operate the siren.

6 (e) The division may not require a local government entity
7 that maintains and operates in a flood-risk zone an outdoor warning
8 siren compliant with the minimum standards adopted by division rule
9 to install, maintain, and operate an additional outdoor warning
10 siren.

11 (f) Municipalities, counties, and other local government
12 entities may by written agreement jointly install, maintain, or
13 operate an outdoor warning siren in a flood-risk zone.

14 (g) The division shall require each county or municipality
15 with an outdoor warning siren required under this section or any
16 other local government entity with an outdoor warning siren in a
17 flood-risk zone to regularly test the functionality of the outdoor
18 warning siren and document the results of those tests.

19 (h) The division shall adopt rules and procedures to
20 implement this section, including:

21 (1) procedures for the operation of an outdoor warning
22 siren in a flood-risk zone; and

23 (2) minimum standards for an outdoor warning siren
24 installed, maintained, or operated in a flood-risk zone.

25 SECTION 2. Chapter 418, Government Code, is amended by
26 adding Subchapter L to read as follows:

SUBCHAPTER L. STATEWIDE NATURAL DISASTER ALERT SYSTEM

Sec. 418.401. DEFINITIONS. In this subchapter:

(1) "Alert system" means the statewide natural disaster alert system described by this subchapter.

(2) "Natural disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause, including fire, flood, earthquake, hurricane, wind, storm, wave action, volcanic activity, blight, drought, infestation, extreme heat, or other natural public calamity requiring emergency action.

Sec. 418.402. ESTABLISHMENT OF ALERT SYSTEM. (a) The division, with the cooperation of the office of the governor and other agencies as necessary, shall develop and implement a statewide natural disaster alert system to activate in the event of a natural disaster affecting any location in this state.

(b) A local government entity that chooses to implement an alert system under this subchapter may use available local money for the purpose of participating in the alert system and may contract with the department for services associated with the alert system.

(c) The alert system must be:

(1) operated in conjunction with any other emergency alert system required by federal or state law; and

(2) designed to notify persons statewide of a natural disaster affecting any location in this state using an alert tone distinct from other statewide alert systems.

Sec. 418.403. ACTIVATION OF ALERT SYSTEM. (a) When the

1 division determines a natural disaster has occurred or the
2 occurrence or threat of natural disaster is imminent or is notified
3 of a declaration of disaster under this chapter involving a natural
4 disaster, the division may immediately activate the alert system.
5 A local government entity in coordination with the division may
6 choose the manner in which the alert system is activated and
7 notifications are issued in the entity's geographic region.

8 (b) The division may activate the alert system only within a
9 100-mile radius of an area in which the division:

10 (1) determines:

11 (A) a natural disaster has occurred; or

12 (B) the occurrence or threat of natural disaster
13 is imminent; or

14 (2) is notified of a declaration of disaster under
15 this chapter involving a natural disaster.

16 (c) The division, or local government entity, as
17 appropriate, may issue updated notifications for the duration of
18 the natural disaster.

19 Sec. 418.404. ALERT SYSTEM REQUIREMENTS. The alert system
20 must use geographic targeting technology to identify and send
21 alerts to individuals residing within a 100-mile radius of the area
22 identified under Section 418.403(b) and may not allow the
23 individuals to opt out of notification through the alert system.

24 Sec. 418.405. RULES. The division shall adopt rules
25 necessary to implement this subchapter.

26 SECTION 3. Chapter 141, Health and Safety Code, is amended
27 by adding Section 141.0093 to read as follows:

1 Sec. 141.0093. FLOOD SAFETY REQUIREMENTS. The youth camp
2 operator of a youth camp located within one mile of a river or lake
3 that is at risk of flooding must equip:

4 (1) each cabin with a radio to allow communication
5 during an emergency; and

6 (2) each bed with a flotation device sufficient to
7 keep a camper afloat in the event of a flooding emergency.

8 SECTION 4. This Act takes effect on the 91st day after the
9 last day of the legislative session.