

BILL ANALYSIS

H.B. 48
By: Darby
Disaster Preparedness & Flooding, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas operates numerous public safety and emergency alert systems alongside frequent severe weather warnings from the National Weather Service. The bill author has informed the committee that, while these systems have saved lives, the rapid expansion and frequency of alerts have raised concerns about "notification fatigue," where people become desensitized and may ignore important warnings. A RAND study published in 2024 found that nearly 30 percent of Texans reported opting out from emergency alerts in some way, representing the highest opt-out rate in the nation. H.B. 48 seeks to address these issues by creating a temporary working group to study statewide alert systems and provide related legislative recommendations, with specific focus on current regulatory frameworks and the impact of notification fatigue.

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. 48 establishes the alert notification system working group. The working group is composed of nine members, appointed not later than December 31, 2025, by the chief of the Texas Division of Emergency Management (TDEM). The bill requires the working group to study the statewide alert notification systems used to notify state residents of certain events, including any alert notification systems operated by TDEM and the following alert notification systems established by the Department of Public Safety (DPS):

- power outage alert;
- statewide AMBER alert;
- Texas Active Shooter Alert;
- statewide silver alert;
- statewide blue alert; and
- statewide CLEAR alert.

The bill requires the working group to hold hearings and other work sessions to conduct the study required by the bill. The study must include an evaluation of state and federal regulations regarding alert notification systems used by DPS and TDEM and legislative recommendations to address the effects of notification fatigue on the effective operation of those systems and streamline the operation of those systems. The bill authorizes the working group to consult with FEMA and any other federal or state agency for the purpose of collecting information necessary to conduct the study.

H.B. 48 requires the working group, not later than December 1, 2026, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each other member of the legislature a report on the findings of the study. The report must include recommendations for legislation to address the findings of the study. The working group is abolished and the bill's provisions expire January 1, 2027.

EFFECTIVE DATE

91st day after the last day of the legislative session.