

## **BILL ANALYSIS**

S.B. 3

By: Bettencourt

Disaster Preparedness & Flooding, Select  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that rural communities in Texas may not have access to Internet or cell phone service during disasters such as floods and are often unable to receive warnings and information relating to disasters. S.B. 3 seeks to ensure there is an emergency communications system to inform citizens in flash flood-prone areas by requiring the installation, maintenance, and operation of outdoor warning sirens in certain of those areas and by requiring the office of the governor to establish and administer a grant program to assist with covering the costs of such installation.

### **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 rulemaking authority is expressly granted to the Texas Water Development Board in SECTION 2 of this bill.

### **ANALYSIS**

#### **Outdoor Warning Sirens**

S.B. 3 amends the Water Code to require the Texas Water Development Board (TWDB) to identify each area in a flash flood-prone area that has a history of consistent or severe flooding and, based on that history and any other factor the TWDB considers relevant, warrants the installation, maintenance, and operation of one or more outdoor warning sirens. For purposes of these provisions, the bill defines "flash flood-prone area" as an area of Texas included in the disaster declaration issued by the governor under the Texas Disaster Act of 1975 in response to the July 2025 Hill Country floods and "outdoor warning siren" as a system that produces a sound designed to alert a person who is outdoors of an imminent disaster and encourage that person to immediately seek shelter or move to higher ground and includes sensors, gauges, and all other components essential to the system's function. The bill establishes that other relevant factors the TWDB may consider in making determinations under the bill with respect to identifying applicable areas that warrant the installation, maintenance, and operation of such a siren include, as to each area, loss of human life to flooding, the existence of residences or other dwelling structures in a flash flood-prone area, and the potential damage to real or personal property resulting from a flood. The bill requires the appropriate municipality or county, for each identified area warranting such installation, maintenance, and operation, to install, maintain, and operate one or more outdoor warning sirens in accordance with the rules adopted by the TWDB under these bill provisions. The bill establishes the following:

- if the site of the installation is in the boundaries of a municipality, the municipality must install, maintain, and operate the siren; or

- if the site of the installation is in the unincorporated area of a county, the county must install, maintain, and operate the siren.

S.B. 3 establishes that an outdoor warning siren is not required for an area in which a governmental entity already maintains and operates an outdoor warning siren that meets the best management practices and guidance adopted by TWDB rule. Municipalities, counties, and other governmental entities by written agreement may jointly install, maintain, or operate an outdoor warning siren required under these bill provisions. The bill requires each county or municipality with an outdoor warning siren required under these bill provisions or any other governmental entity with an outdoor warning siren in a flash flood-prone area to regularly test the functionality of the outdoor warning siren and document the results of those tests. The identification by the TWDB under these bill provisions of an area that warrants an outdoor warning siren is final and binding. The bill requires the TWDB to adopt rules and procedures to implement the bill's provisions regarding outdoor warning sirens, including facilitating development of best management practices and guidance for the following:

- the operation of an outdoor warning siren in a flash flood-prone area of Texas; and
- an outdoor warning siren installed, maintained, or operated in a flash flood-prone area, including guidance that an outdoor warning siren be equipped with a backup power source that is different from the siren's primary power source.

The bill authorizes the TWDB to contract or consult with other entities when adopting such rules and procedures. The bill prohibits the TWDB from providing financial assistance, other than financial assistance under the bill's grant program provisions, to a county or municipality during any period that the county or municipality is not in compliance with the bill's provisions regarding outdoor warning sirens, as determined by the TWDB.

### **Grant Programs for Required Outdoor Warning Sirens**

S.B. 3 amends the Government Code to require the office of the governor to establish and administer a grant program, using money available for that purpose, to assist municipalities, counties, and other governmental entities with covering the costs of installing outdoor warning sirens required under the bill's Water Code provisions. The bill requires the office of the governor to establish the following:

- eligibility criteria for grant applicants;
- grant application procedures;
- guidelines relating to grant amounts;
- procedures for evaluating grant applications; and
- procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

The bill authorizes the governor to delegate to a state agency the authority to administer the grant program.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, the 91st day after the last day of the legislative session.