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H.B. No. 149

A BILL TO BE ENTITLED

AN ACT

relating to the governor's review of purchases by political subdivisions of public safety radio communication systems.

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

SECTION 1. Subchapter Z, Chapter 271, Local Government Code, is amended by adding Section 271.909 to read as follows:

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

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

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

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

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

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

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

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

13 (1) approve the request;

14 (2) summarily deny the request; or

15 (3) all of the following:

16 (A) conditionally deny the request;

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

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

22 (f) The governor shall approve a proposed purchase reviewed
23 under this section only if the proposed purchase and use of the
24 system does not materially impair the interoperability among public
25 safety radio communication systems used by other governmental
26 entities in the region of the political subdivision proposing the
27 purchase, in accordance with the standards established under

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

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

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

14 SECTION 2. Not later than August 1, 2026, the governor shall
15 adopt the rules required by Section 271.909, Local Government Code,
16 as added by this Act.

17 SECTION 3. Section 271.909, Local Government Code, as added
18 by this Act, applies only to the purchase of a public safety radio
19 communication system by a political subdivision that occurs on or
20 after August 1, 2026.

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