

By: Morales of Harris

H.B. No. 179

A BILL TO BE ENTITLED

AN ACT

relating to an alert system for notification of a toxic chemical release by a manufacturing facility.

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

SECTION 1. The heading to Section 505.017, Health and Safety Code, is amended to read as follows:

Sec. 505.017. NOTICE ISSUED UNDER EMERGENCIES; TOXIC CHEMICAL EMERGENCY ALERT SYSTEM.

SECTION 2. Section 505.017, Health and Safety Code, is amended by adding Subsections (c), (d), (e), (f), (g), (h), and (i) to read as follows:

(c) If the responsible state agency determines that a release will substantially endanger human health or the environment, not later than 30 minutes after making the determination the agency shall notify persons in the area in which the facility is located of the release using the alert system established under Subsection (f).

(d) On the request of the Texas Division of Emergency Management, the Department of Public Safety shall notify persons in the area in which a facility is located of the release using the alert system established under Subsection (f) if:

(1) the division determined the release will substantially endanger human health or the environment; and

(2) a responsible state agency has not issued an alert

1 under Subsection (c) notifying persons in the area of the release.

2 (e) A state agency that issues an alert under Subsection (c)
3 or (d) and determines a release is no longer a threat to human
4 health or the environment shall provide notice of the diminished
5 threat to persons in the area of the release using the alert system
6 established under Subsection (f).

7 (f) The state emergency response commission shall develop
8 and maintain a toxic chemical emergency alert system to notify
9 persons in the area in which the facility is located of a release
10 that will substantially endanger human health or the environment.
11 The commission may partner with other state agencies in developing
12 the alert system and shall allow persons to register for a preferred
13 method of receiving a message under the alert system. In developing
14 the alert system, the commission may use as a model the alert
15 systems established by Subchapter L, Chapter 411, Government Code,
16 and Section 51.854, Water Code. The alert system must provide a
17 person with the option of not receiving the alerts.

18 (g) The toxic chemical emergency alert system must:

19 (1) provide notification through reverse 9-1-1 calls,
20 text messages, e-mails, social media, and other instant messaging
21 systems in both English and Spanish; and

22 (2) allow the state agency providing the notification
23 to modify the notification based on:

24 (A) the distance of the release to the person
25 receiving the notification; and

26 (B) the projected movement of the release.

27 (h) An alert issued by the toxic chemical emergency alert

1 system must include:

2 (1) each area affected by the release, including the
3 projected movement of the release and a geographic display of the
4 severity of the threat posed by the release;

5 (2) a link to an Internet website or other message
6 system that maintains current information on each affected area;

7 (3) a link to an Internet website or other message
8 system that describes a symptom of any illness caused by the release
9 that may require emergency medical treatment;

10 (4) the chemicals involved in and toxicity of the
11 release; and

12 (5) instructions for protection from exposure to the
13 release or for reducing exposure to the release.

14 (i) The state emergency response commission shall review
15 and modify the toxic chemical emergency alert system, as
16 appropriate, every four years.

17 SECTION 3. Not later than March 1, 2027, the state emergency
18 response commission, as defined by Section 505.004, Health and
19 Safety Code, shall establish the toxic chemical emergency alert
20 system as required by Section 505.017, Health and Safety Code, as
21 amended by this Act.

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