By:  Sparks S.B. No. 34

A BILL TO BE ENTITLED

AN ACT

relating to the preparation, prevention, and mitigation of wildfires.

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

SECTION 1.  Section 418.004, Government Code, is amended by adding Subdivision (15) to read as follows:

(15)  "Forest service" means the Texas A&M Forest Service.

SECTION 2.  Subchapter C, Chapter 418, Government Code, is amended by adding Section 418.059 to read as follows:

Sec. 418.059.  STATEWIDE DATABASE OF FIREFIGHTING EQUIPMENT.  (a)  The forest service shall create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment that is available for use in responding to wildfires.

(b)  The database must:

(1)  include a description of the type of firefighting equipment each fire department in the state has available for use in responding to wildfires;

(2)  include contact information for the fire department that has the equipment;

(3)  be searchable by location and equipment type; and

(4)  be accessible by all fire departments in the state and allow each fire department to update the information in the database regarding the equipment the fire department has available.

(c)  The forest service shall assist fire departments who choose to provide equipment information in updating the database annually or as soon as practicable after any change in the availability of the department's firefighting equipment.  The service shall use an electronic notification system to remind departments, at least once each calendar year, to provide an update of their equipment availability.

(d)  In this section, "fire department" includes a volunteer fire department or an emergency services district.

SECTION 3.  Section 2007.002, Insurance Code, is amended to read as follows:

Sec. 2007.002.  ASSESSMENT. The comptroller shall assess against all insurers to which this chapter applies amounts for each state fiscal year necessary, as determined by the commissioner, to collect [~~a combined total equal to the lesser of:~~

[~~(1)~~] the total amount that the General Appropriations Act appropriates from the volunteer fire department assistance fund account in the general revenue fund for that state fiscal year, other than appropriations for contributions to the Texas Emergency Services Retirement System made under Section 614.104(d), Government Code[~~; or~~

[~~(2) $30 million~~ $40 million].

SECTION 4.  Section 614.102, Government Code, is amended by adding Subsections (i) and (j) to read as follows:

(i)  At least 10 percent of appropriations for a state fiscal year from the fund is allocated for the purpose of providing assistance to volunteer fire departments in areas of the state defined by the service as high risk for large wildfires.

(j)  If the amount of assistance requested in a state fiscal year by eligible departments described by Subsection (i) is less than the amount allocated under that subsection, the remaining amount may be used for other types of requests for assistance described by this subchapter.

SECTION 5.  Chapter 421, Government Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. TEXAS INTEROPERABILITY COUNCIL

Sec. 421.121.  DEFINITIONS.  In this subchapter:

(1)  "Council" means the Texas Interoperability Council established under this subchapter.

(2)  "Division" means Texas Division of Emergency Management.

(3)  "Local government" means a municipality, county, special district or authority, or any other political subdivision of this state.

Sec. 421.122.  TEXAS INTEROPERABILITY COUNCIL.  (a)  The Texas Interoperability Council is established to:

(1)  develop and coordinate the planning and implementation of a statewide strategic plan for governing the interoperability of emergency communication equipment and infrastructure in this state.

(b)  The council is composed of the chief of the Texas Department of Emergency Management and six members appointed as follows:

(1)  two members appointed by the governor;

(2)  two members appointed by the lieutenant governor; and

(3)  two members appointed by the speaker of the house of representatives.

(c)  Appointed council members serve staggered terms of six years, with the terms of two members expiring September 1 of each odd-numbered year.

(d)  A majority of the voting members of the council constitutes a quorum to transact business.  If a quorum is present, the council may act on any matter within the council's jurisdiction by a majority vote.

(e)  The chief of the Texas Department of Emergency Management serves as the council's presiding officer.

Sec. 421.123.  MEETINGS.  The council shall meet as often as necessary at the call of the presiding officer to perform the council's duties.

Sec. 421.124.  APPLICABILITY OF OTHER LAW TO COUNCIL.  (a)  Chapters 551 and 2001 do not apply to the council.

(b)  Information held by the council is excepted from required public disclosure under Chapter 552.

Sec. 421.125.  STRATEGIC PLAN.  (a)  The council, in collaboration with any state agency or private entity as the council determines appropriate, shall develop a statewide strategic plan by January 1, 2026 to govern the interoperability of emergency communication equipment and infrastructure in this state.

(b)  The strategic plan must include:

(1)  a plan for the construction of communication infrastructure necessary to ensure effective emergency communications among first responders in this state;

(2)  a plan to ensure that first responders throughout this state are equipped with emergency communication equipment that is interoperable with other emergency communication equipment in this state; and

(4)  a plan to ensure that any new emergency communication equipment and infrastructure under the plan can be adapted to or integrated with any existing emergency communication equipment and infrastructure; and

(5)  recommendations for appropriations and statutory suggestions to implement the strategic plan.

Sec. 421.131.  RULES.  The division may adopt rules to administer this subchapter.

SECTION 6.  Section 91.019, Natural Resources Code, is amended to read as follows:

Sec. 91.019.  STANDARDS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF ELECTRICAL POWER LINES. (a) An operator shall construct, operate, and maintain an electrical power line serving a well site or other surface facility employed in operations incident to oil and gas development and production in accordance with the National Electrical Code published by the National Fire Protection Association and adopted by the Texas Commission of Licensing and Regulation under Chapter 1305, Occupations Code.

(b)  If, during an inspection of a well site or surface facility employed in operations incident to oil and gas development and production, the commission discovers a condition involving an electrical power line that does not meet the standards described by Subsection (a), the commission shall notify the Public Utility Commission of Texas. To resolve the condition, the commission and the Public Utility Commission of Texas, in collaboration, shall:

(1)  notify the applicable electric utility providing electric power to the well site or surface facility of the condition and require the electric utility to make a determination regarding whether electric power should be disconnected from the site or facility;

(2)  request that the state fire marshal or a local government authority inspect the well site or surface facility and require the operator to mitigate any dangerous conditions identified by the state fire marshal or local government authority; or

(3)  issue notice to the applicable electric utility to investigate the condition and disconnect electric service, if necessary.

SECTION 7.  As soon as practicable after the effective date of this Act, the governor, lieutenant governor, and speaker of the house of representatives shall appoint members to the Texas Interoperability Council, as required by Section 421.122, Government Code, as added by this Act, in the manner required by that section, as follows:

(1)  the governor shall appoint two council members to a term expiring September 1, 2027;

(2)  the lieutenant governor shall appoint two council members to a term expiring September 1, 2029; and

(3)  the speaker of the house of representatives shall appoint two council members to a term expiring September 1, 2031.

SECTION 8: Section 91.019, Natural Resources Code, as amended by this Act, applies to an inspection that occurs on or after the effective date of this Act.

SECTION 8.  This Act takes effect September 1, 2025.