

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

1 database regarding the equipment the fire department has available.

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

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

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

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

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

23 ~~[(2) \$30 million \$40 million]~~.

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

26 (i) At least 10 percent of appropriations for a state fiscal
27 year from the fund is allocated for the purpose of providing

1 assistance to volunteer fire departments in areas of the state
2 defined by the service as high risk for large wildfires.

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

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

10 SUBCHAPTER G. TEXAS INTEROPERABILITY COUNCIL

11 Sec. 421.121. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

- 1 (1) two members appointed by the governor;
- 2 (2) two members appointed by the lieutenant governor;
- 3 and
- 4 (3) two members appointed by the speaker of the house
- 5 of representatives.

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

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

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

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

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

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

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

1 (b) The strategic plan must include:

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

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

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

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

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

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

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

27 (b) If, during an inspection of a well site or surface

1 facility employed in operations incident to oil and gas development
2 and production, the commission discovers a condition involving an
3 electrical power line that does not meet the standards described by
4 Subsection (a), the commission shall notify the Public Utility
5 Commission of Texas. To resolve the condition, the commission and
6 the Public Utility Commission of Texas, in collaboration, shall:

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

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

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

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

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

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

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

5 SECTION 8: Section [91.019](#), Natural Resources Code, as
6 amended by this Act, applies to an inspection that occurs on or
7 after the effective date of this Act.

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