

By: Parker

S.B. No. 780

A BILL TO BE ENTITLED

AN ACT

relating to the homeland security activities of certain entities,  
including the establishment and operations of the Homeland Security  
Division in the Department of Public Safety.

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

SECTION 1. Section 411.002(a), Government Code, is amended to  
read as follows:

(a) The Department of Public Safety of the State of Texas is  
an agency of the state to enforce the laws protecting the public  
safety and provide for the prevention and detection of crime. The  
department is composed of the Texas Rangers, the Homeland Security  
Division, the Texas Highway Patrol, the administrative division,  
and other divisions that the commission considers necessary.

SECTION 2. Chapter 411, Government Code, is amended by adding  
Subchapter S to read as follows:

SUBCHAPTER S. HOMELAND SECURITY DIVISION

Sec. 411.551. DEFINITIONS. In this subchapter:

(1) "Chief" means the chief of the division appointed  
under Section 411.552.

(2) "Division" means the Homeland Security Division of  
the department established under this subchapter.

(3) "Homeland security activity" has the meaning  
assigned by Section 421.001.

(4) "Local government" includes any municipality,

1 county, special-purpose district or authority, or other political  
2 subdivision of this state.

3 (5) "State agency" means a board, commission, council,  
4 committee, department, office, agency, or other governmental  
5 entity in the executive, legislative, or judicial branch of state  
6 government. The term includes an institution of higher education as  
7 defined by Section 61.003, Education Code.

8 Sec. 411.552. HOMELAND SECURITY DIVISION; CHIEF. (a) The  
9 Homeland Security Division is established in the department to lead  
10 multi-agency, multi-jurisdictional, and public-private efforts to  
11 enhance the security and resiliency of this state.

12 (b) The director shall appoint the chief with the consent of  
13 the commission and may assign to the division and the chief  
14 department duties that relate to a homeland security activity.

15 (c) The chief acts as the chief administrative officer of  
16 the division and is under the supervision and direction of the  
17 director, and to the extent the director determines, a deputy  
18 director of the department.

19 Sec. 411.553. DEPUTY CHIEFS AND OTHER EMPLOYEES; DELEGATION.

20 (a) The chief may employ deputy chiefs and other employees as  
21 necessary to perform the duties or exercise the powers of the  
22 division or perform any duty or exercise any power of the department  
23 assigned to the division.

24 (b) The chief may delegate any power or duty assigned to the  
25 division or chief unless prohibited by statute or rule.

26 Sec. 411.554. BORDER SECURITY: PLANNING AND COORDINATION.

27 (a) The division shall, in collaboration with any other person who

1 by law performs similar duties:

2 (1) provide the strategic and operational planning for  
3 border security operations of this state; and

4 (2) support the border security operations of this  
5 state by coordinating the efforts of federal and state agencies,  
6 local governments, and private organizations and by ensuring  
7 clarity and alignment on the priorities and responsibilities of  
8 each stakeholder.

9 (b) The division shall assist as necessary the department,  
10 including each department region, with the department's tactical  
11 planning of border security operations. The division shall produce  
12 intelligence and similar reports as necessary to provide the  
13 assistance required by this subsection.

14 Sec. 411.555. BORDER SECURITY: INTELLIGENCE. (a) The  
15 division shall coordinate the collection, dissemination, and  
16 analysis of intelligence for this state's border security  
17 operations and shall operate intelligence centers dedicated to this  
18 purpose.

19 (b) The division shall establish policies and procedures  
20 relating to the collection and management of intelligence,  
21 including establishing collection priorities and assigning the  
22 management responsibilities, for state agencies, local  
23 governments, and any private organizations participating in border  
24 security operations.

25 (c) With respect to the border security operations of this  
26 state, the division shall analyze and assess collected intelligence  
27 to produce information bulletins and other similar reports

1 considered advisable.

2 (d) The division shall manage the program for the  
3 installation and monitoring of cameras and surveillance equipment  
4 along the Texas-Mexico border, known as Operation Drawbridge.

5 Sec. 411.556. HOMELAND SECURITY PLANNING AND PREPAREDNESS.

6 (a) The division shall, in collaboration with any other person who  
7 by law performs similar duties:

8 (1) regularly develop a comprehensive homeland  
9 security strategic plan for this state;

10 (2) plan and facilitate homeland security exercises in  
11 coordination with state and federal agencies, local governments,  
12 and any participating private organizations, including exercises  
13 to enhance the capabilities of the state operations center  
14 described by Section 418.041(e);

15 (3) develop operational and tactical plans for  
16 significant law enforcement emergencies or contingencies,  
17 including assisting each department region with developing plans  
18 specific to the needs of that region;

19 (4) conduct assessments of risks and hazards to this  
20 state and the capabilities of state and local stakeholders to  
21 respond to the occurrence of those risks and hazards, including  
22 coordinating the annual completion by state agencies and local  
23 governments of the following federal assessments:

24 (A) the Threat and Hazard Identification and Risk  
25 Assessment; and

26 (B) the Stakeholder Preparedness Review;

27 (5) establish programs for regular outreach to and

1 information sharing among public and private organizations  
2 regarding homeland security preparedness, including:

3 (A) coordinating the Bomb-Making Materials  
4 Awareness Program and similar programs; and

5 (B) ensuring private industry organizations are  
6 aware of:

7 (i) threats to critical infrastructure,  
8 such as espionage and sabotage operations;

9 (ii) best practices for protecting critical  
10 infrastructure; and

11 (iii) available resources to assist in  
12 protecting critical infrastructure and responding to those  
13 threats; and

14 (6) assist state agencies and local governments in  
15 complying with restrictions under federal law on commerce with  
16 certain entities, including any entity:

17 (A) listed in Supplement No. 4 to 15 C.F.R. Part  
18 744;

19 (B) identified as a Chinese military company by  
20 the United States Secretary of Defense in accordance with Section  
21 1260H of the National Defense Authorization Act for Fiscal Year  
22 2021 (Pub. L. 116-283); or

23 (C) restricted under any similar sanction program  
24 under federal law.

25 (b) The division shall develop any additional assessment for  
26 risks and hazards, including for events such as mass migrations and  
27 acute demands on critical infrastructure, the division considers

1 necessary and include in the strategic plan required by Subsection  
2 (a)(1) recommendations to mitigate those risks and hazards.

3 (c) The division may administer, or assist the department in  
4 administering, an internship program for students and other  
5 interested persons to participate in the operations of the  
6 division, or the department, as appropriate.

7 Sec. 411.557. CRITICAL INFRASTRUCTURE PLANNING. (a) The  
8 division shall coordinate multi-agency, multi-jurisdictional, and  
9 public-private efforts to protect the critical infrastructure in  
10 this state. Within the 16 critical infrastructure sectors  
11 identified by the United States National Security Memorandum 22  
12 (NSM-22), the division shall prioritize the division's efforts in  
13 ensuring the protection of critical infrastructure in the following  
14 sectors:

- 15 (1) energy;
- 16 (2) communications;
- 17 (3) transportation systems; and
- 18 (4) water and wastewater systems.

19 (b) With respect to potential threats to the critical  
20 infrastructure in this state, the division may analyze and assess  
21 collected intelligence to produce information bulletins and other  
22 similar reports considered advisable.

23 (c) The division shall develop a system to identify and  
24 categorize critical infrastructure in this state for the purpose of  
25 facilitating initiatives to protect the critical infrastructure,  
26 including for facilitating any risk assessment of critical  
27 infrastructure assets or systems in this state and identifying any

1 dependency or interdependency among those assets or systems.

2 (d) The division shall conduct exercises to enhance  
3 public-private coordination in protecting the critical  
4 infrastructure of this state.

5 (e) During any disaster, as that term is defined by Section  
6 418.004, the division shall provide support to the state operations  
7 center described by Section 418.041(e).

8 Sec. 411.558. INFRASTRUCTURE LIAISON OFFICER PROGRAM. (a)  
9 The division shall operate a program to train volunteers from  
10 public and private organizations to:

11 (1) collect or receive intelligence information  
12 related to threats to critical infrastructure; and

13 (2) properly identify threats to critical  
14 infrastructure and report those threats to the department.

15 (b) The division may set reasonable eligibility  
16 requirements for the program.

17 Sec. 411.559. WORK GROUPS; STUDY OF TECHNOLOGIES. (a) The  
18 division may establish and appoint members to one or more work  
19 groups to:

20 (1) study any issue related to the division's duties or  
21 the homeland security activities of this state; and

22 (2) advise or produce written reports on an issue  
23 studied under Subdivision (1).

24 (b) A work group established under this section may be  
25 composed of representatives from state and federal agencies, local  
26 governments, and private organizations. The division may provide  
27 administrative support for any work group established under this

1 section.

2 (c) The division shall, in collaboration with any person who  
3 by law performs similar duties, establish or operate work groups to  
4 study methods or technologies to enhance:

5 (1) the border security operations of this state; and

6 (2) the resiliency of the critical infrastructure,  
7 including any task force established to survey the vulnerabilities  
8 of state government, local governments, and critical  
9 infrastructure.

10 Sec. 411.560. RESEARCH. (a) The division shall annually  
11 propose to the commission the research priorities and a research  
12 agenda for the department.

13 (b) The division shall coordinate with institutions of  
14 higher education to enhance the research capabilities of the  
15 institutions and the department by sharing information and aligning  
16 priorities.

17 (c) The division shall research new technologies to enhance  
18 the homeland security activities conducted by this state, including  
19 any border security operation conducted by a state agency, local  
20 government, or private organization.

21 Sec. 411.561. COUNSEL AND BUDGETING. (a) The division  
22 shall, on request, provide subject matter expertise and counsel to  
23 a state agency or local government regarding the state's border  
24 security operations and critical infrastructure protection or  
25 resilience initiatives, including related grant programs,  
26 legislation, risk management assessments, and other initiatives.

27 (b) The division shall confer with each state agency



1 involved in any homeland security activity before each legislative  
2 session regarding the portion of the state agency's budget request  
3 that finances the agency's homeland security activities. The  
4 division shall coordinate with the state agencies to eliminate  
5 redundancies and increase the efficiency of state agency efforts in  
6 conducting homeland security activities.

7 (c) The division may, in collaboration with the Legislative  
8 Budget Board, adopt rules regarding the sharing of information  
9 among state agencies that submit budget requests that include a  
10 homeland security activity conducted by the requesting state  
11 agency.

12 Sec. 411.562. GRANT AND REIMBURSEMENT PROGRAMS. (a)  
13 Notwithstanding any other law establishing a grant or reimbursement  
14 program administered by a state agency or local government related  
15 to a homeland security activity, border security operation, or a  
16 critical infrastructure protection initiative, the division shall,  
17 in collaboration with the governor, set priorities and guidelines  
18 for the program, including priorities for intended outcomes and  
19 guidelines for assessing the effectiveness of the program.

20 (b) In setting the priorities and guidelines under  
21 Subsection (a), the governor and division shall account for any  
22 federal grant money secured and any accompanying restrictions or  
23 requirements imposed by the federal agency awarding the grant.

24 Sec. 411.563. WEBSITE AND REPORTS. The division shall  
25 maintain a publicly accessible Internet website and publish  
26 assessments and other reports produced by the division that are not  
27 excepted from disclosure under Section 552.021 and not

1 confidential.

2 SECTION 3. Section 421.002(a), Government Code, is amended  
3 to read as follows:

4 (a) The governor shall direct homeland security in this  
5 state and shall develop a statewide homeland security strategy that  
6 improves the state's ability to:

7 (1) protect against homeland security threats and  
8 hazards;

9 (2) respond to homeland security emergencies;

10 (3) recover from homeland security emergencies;

11 (4) mitigate the loss of life and property by lessening  
12 the impact of future disasters; and

13 (5) prevent significant criminal and terrorist  
14 attacks.

15 SECTION 4. Section 421.024, Government Code, is amended to  
16 read as follows:

17 Sec. 421.024. DUTIES. The council shall, in collaboration  
18 with the Homeland Security Division of the Department of Public  
19 Safety, advise the governor on:

20 (1) the implementation of the governor's homeland  
21 security strategy by state and local agencies and provide specific  
22 suggestions for helping those agencies implement the strategy; and

23 (2) other matters related to the planning,  
24 development, coordination, and implementation of initiatives to  
25 promote the governor's homeland security strategy.

26 SECTION 5. Section 421.045, Government Code, is amended to  
27 read as follows:

1           Sec. 421.045. DUTIES. Each permanent special advisory  
2 committee created under this subchapter shall, in collaboration  
3 with the Homeland Security Division of the Department of Public  
4 Safety, advise the governor on:

5           (1) the implementation of the governor's homeland  
6 security strategy by state and local agencies and provide specific  
7 suggestions for helping those agencies implement the strategy;

8           (2) specific priorities related to the governor's  
9 homeland security strategy that the committee determines to be of  
10 significant importance to the statewide security of critical  
11 infrastructure; and

12           (3) other matters related to the planning,  
13 development, coordination, and implementation of initiatives to  
14 promote the governor's homeland security strategy.

15           SECTION 6. (a) In this section:

16           (1) "Department" means the Department of Public  
17 Safety.

18           (2) "Transferring agency" means a state agency that is  
19 required to transfer the management and operations of a center to  
20 the department under Subsection (b)(2) of this section.

21           (b) As soon as practicable after the effective date of this  
22 Act, the department shall:

23           (1) transfer the management and operations of the  
24 Border Security Operations Center and the Joint Operations and  
25 Intelligence Centers to the Texas Homeland Security Division in the  
26 department; and

27           (2) enter into a written agreement with any other state

1 agency that, before the effective date of this Act, is involved in  
2 the management or operations of the centers described by  
3 Subdivision (1) of this subsection for the transfer of the  
4 management and operations of those centers to the division,  
5 including any land, facilities, equipment, and other property  
6 involved in the operations of the centers.

7 (c) The written agreement required by Subsection (b) (2) of  
8 this section must specify an effective date for the transfer.

9 (d) Any rules, policies, procedures, decisions, and forms of  
10 a transferring agency that relate to the management or operations  
11 of a center in effect on the effective date of the transfer remain  
12 in effect until changed by the department.

13 (e) All money, contracts, leases, property, software source  
14 code and documentation, records, and obligations of a transferring  
15 agency that relate to the management or operations of a center are  
16 transferred to the department on the effective date of the  
17 transfer.

18 (f) The unexpended and unobligated balance of any money  
19 appropriated by the legislature relating to a center transferred  
20 under this Act is transferred to the department on the effective  
21 date of the transfer of the center.

22 (g) A transferring agency shall provide the department with  
23 access to any systems, facilities, or information necessary for the  
24 department to accept the management and operations of a center  
25 transferred under this Act.

26 (h) On the effective date of the transfer, all full-time  
27 equivalent employee positions at the transferring agency that

1 concern the management or operations of a center being transferred  
2 become positions at the department. The department shall post the  
3 positions for hiring and, when filling the positions, shall give  
4 consideration to, but is not required to hire, an applicant who,  
5 immediately before the date of the transfer, was an employee at a  
6 transferring agency.

7 SECTION 7. This Act takes effect September 1, 2025.