

## **BILL ANALYSIS**

Senate Research Center  
81R11408 BEF-D

S.B. 1462  
By: Carona  
S/C on Flooding & Evacuations  
3/31/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Extreme heat in many areas of Texas can rise to the level of an emergency situation. At-risk populations, like the poor and the elderly, are particularly vulnerable to consistently high temperatures, because those populations may not have regular access to air-conditioning. Available air-conditioning, adequate hydration, and even awareness of what can occur with exposure to extreme heat conditions can all prevent heat sickness and death.

Chapter 418 (Emergency Management), Government Code, defines "disaster" and lists the responsibilities of the Office of the Governor, Division of Emergency Management (GDEM) during a disaster declared by the governor. This includes activation of a statewide disaster plan.

As proposed, S.B. 1462 redefines disaster and requires GDEM to prepare and keep current a comprehensive state emergency plan that includes a list of public facilities authorized to be used to shelter individuals during a disaster.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 418.004(1), Government Code, to redefine "disaster."

SECTION 2. Amends Section 418.042(a), Government Code, to authorize that the comprehensive state emergency plan prepared and kept current by the division of emergency management in the office of the governor, to prepare and keep current a comprehensive state emergency plan. Authorizes the plan to include a list of public facilities that are authorized to be used under Section 418.017 (Use of Public and Private Resources) to shelter individuals during a disaster, including air-conditioned facilities for shelter during an extreme heat disaster and fortified structures for shelter during a wind disaster. Makes nonsubstantive changes.

SECTION 3. Effective date: upon passage or September 1, 2009.