

BILL ANALYSIS

Senate Research Center

C.S.S.B. 181
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Intergovernmental Relations
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

After a natural disaster, essential personnel have difficulty reentering the affected area to begin restoration of normal operations in an efficient and timely manner. This bill addresses this by setting up an official protocol for reentry.

C.S.S.B. 181 requires the governor's division of emergency management, in cooperation with the Department of Public Safety, to create a task force to study and develop uniform reentry procedures for essential personnel entering a disaster area or a stricken or threatened area that has been evacuated, including who can be admitted, the priority order of reentry for those personnel, and methods to authenticate the identity of those personnel.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the governor of the State of Texas in SECTION 1 (Section 418.018, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 418.018, Government Code, by adding Subsections (d), (e), and (f), as follows:

(d) Requires the governor's division of emergency management, in cooperation with the Department of Public Safety (DPS), to create a task force to study and develop uniform reentry procedures for essential personnel entering a disaster area or a stricken or threatened area that has been evacuated. Requires the task force to submit a written report on the procedures developed by the task force to the governor. Requires that the procedures authorize the orderly reentry of essential personnel according to the critical functions provided by the personnel in restoring normal operations to the area following an evacuation; prioritize the order of reentry for the essential personnel, including emergency responders, search and rescue personnel, infrastructure and utility repair personnel, official damage assessment personnel, health care providers, and businesses essential to the return of residents; and establish methods to authenticate the identity of the essential personnel authorized to reenter the area.

(e) Requires that the task force created under Subsection (d) include representatives of the officer of the governor, DPS, emergency responders, search and rescue personnel, infrastructure and utility repair personnel, official damage assessment personnel, health care providers, county judges and mayors, and businesses essential to the return of residents.

(f) Requires the governor by rule, based on the report and procedures developed by the task force created under Subsection (d) and in cooperation with DPS, to establish uniform reentry procedures for essential personnel entering a disaster area or a stricken or threatened area that has been evacuated. Requires that the rules adopted under this section not diminish the authority of local emergency management officials to adopt appropriate reentry provisions in a local plan or to make decisions on the timing and implementation of reentry activities.

SECTION 2. Requires the governor, in cooperation with DPS, as soon as practicable after the effective date of this Act, to appoint members to the task force created under Section 418.018(d),

Government Code, as added by this Act, and based on the report and procedures developed by the task force, adopt rules on uniform reentry procedures for essential personnel as required by Section 418.018(f), Government Code, as added by this Act.

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