

BILL ANALYSIS

Senate Research Center

H.B. 2257
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During disasters or emergencies, it is critical for public service providers to be able to communicate critical information to affected persons regarding the status of water, power supplies, and other similar public services. However, increased use of conventional telephone service and Internet services can overwhelm the telecommunications network, preventing transmission of important communications at a critical time.

The Government Code requires the Division of Emergency Management of the Department of Public Safety of the State of Texas and the Texas Department of Transportation, in cooperation with other state agencies, to establish methods of disseminating emergency public service messages, but there are no minimum requirements set forth in statute for this system.

H.B. 2257 provides alternatives for public service providers in the operation of public service information systems during times of disaster remedies by granting them the authority to use a dynamic information database that will, among other things, allow simultaneous transmission of emergency messages, generate emergency messages in real time, and assign recipients of such messages to priority groups for notifications. Availability of these tools will better ensure that emergency communications are effective during times of disaster.

H.B. 2257 amends current law relating to the procurement and use of an emergency notification system by public service providers.

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 Subchapter H, Chapter 418, Government Code, by adding Section 418.192, as follows:

Sec. 418.192. COMMUNICATIONS BY PUBLIC SERVICE PROVIDERS DURING DISASTERS AND EMERGENCIES. (a) Defines, in this section, "emergency" and "public service provider."

(b) Authorizes a public service provider to enter into a contract for an emergency notification system described by this section for use in informing the provider's customers, governmental entities, and other affected persons regarding notice of a disaster or emergency, and any actions a recipient is required to take during a disaster or emergency.

(c) Requires that the emergency notification system for which a contract is entered into under Subsection (b) rely on a dynamic information database that:

(1) is capable of simultaneous transmission of emergency messages to all recipients through at least two industry-standard gateways to one or more

telephones or electronic devices owned by a recipient in a manner that does not negatively impact the existing communications infrastructure;

(2) allows the public service provider to store prewritten emergency messages in the dynamic information database for subsequent use, and generate emergency messages in real time based on provider inputs;

(3) allows a recipient to select the language in which the recipient would prefer to receive messages;

(4) transmits the message in the recipient's language of choice to that recipient;

(5) converts text messages to sound files and transmits those sound files to the appropriate device;

(6) assigns recipients to priority groups for notification;

(7) allows for the collection and verification of responses by recipients of emergency messages; and

(8) reads or receives alerts from a commercial mobile alert system established by the Federal Communications Commission (FCC) or complies with standards adopted for a commercial mobile alert system by the FCC.

(d) Requires that the dynamic information database comply with the Telecommunications Service Priority program established by the FCC, and the Federal Information Processing Standard 140-2 governing compliant cryptographic modules for encryption and security issued by the National Institute of Standards and Technology.

(e) Provides that a public service provider that uses an emergency notification system described by this section is entitled to information that is confidential under Section 771.061 (Confidentiality of Information), Health and Safety Code, from a governmental entity providing 9-1-1 service to a public service provider's customers. Requires the public service provider to use information collected or received under this subsection only for informing persons under Subsection (b).

SECTION 2. Effective date: upon passage or September 1, 2011.