

BILL ANALYSIS

Senate Research Center

S.B. 1238
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Transportation & Homeland Security
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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 supplies, power supplies, and other similar public services. However, increased use of conventional telephone service and Internet services can overwhelm the telecommunications network, preventing the transmission of important communications at a critical time.

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

S.B. 1238 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, assign recipients of such messages to priority groups for notifications, and more. Availability of these tools will better ensure that emergency communications are effective during times of disaster.

As proposed, S.B. 1238 amends current law relating to communications by public service providers during a disaster or an emergency.

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 the heading to Section 418.047, Government Code, to read as follows:

Sec. 418.047. COMMUNICATIONS BY THE DIVISION DURING DISASTER OR EMERGENCY.

SECTION 2. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.0471, as follows:

Sec. 418.0471. COMMUNICATIONS BY PUBLIC SERVICE PROVIDERS DURING DISASTER OR EMERGENCY. (a) Authorizes a public service provider to use an emergency notification system to inform the provider's customers, governmental agencies, and other affected persons with messages providing:

(1) notice of a disaster or an emergency; and

(2) any actions a recipient is required to take during a disaster or an emergency.

(b) Requires that the emergency notification system used by a public service provider under this section 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 communication infrastructure;

(2) allows the public service provider to:

(A) store prewritten emergency messages in the dynamic information database for subsequent use; and

(B) 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; and

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

(c) Requires that the dynamic information database described by Subsection (b) comply with:

(1) the Telecommunications Service Priority program established by the Federal Communications Commission; and

(2) Federal Information Processing Standard 140-2 governing compliant cryptographic modules for encryption and security issued by the National Institute of Standards and Technology.

(d) Entitles a public service provider that uses an emergency notification system described by this section to obtain 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 the provider's customer.

(e) Defines "emergency" and "public service provider" in this section.

SECTION 3. Effective date: upon passage or September 1, 2011.