

## **BILL ANALYSIS**

Senate Research Center  
86R11502 JXC-F

H.B. 2461  
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Intergovernmental Relations  
5/9/2019  
Engrossed

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

It has been reported that legislative action is needed to facilitate the removal of a particular municipality from the emergency communication district to which it currently belongs in order to prevent continuing potential liabilities or applicability of certain statutory mandates relating to the existing agreement. H.B. 2461 seeks to address this situation by amending the applicable statutes to provide for that removal.

H.B. 2461 amends current law relating to the territory of and fees imposed by certain emergency communication districts.

### **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 D, Chapter 772, Health and Safety Code, by adding Section 772.3051, as follows:

Sec. 772.3051. REMOVAL OF CERTAIN MUNICIPAL TERRITORY. (a) Authorizes a municipality that is a participating jurisdiction to request that the municipality be removed from the emergency communications district (district) if the municipality operated a consolidated public safety answering point with at least three emergency communication districts described by Section 771.001(3)(A) (relating to the definition of "emergency communication district") for at least a three-year period before September 1, 2019.

(b) Requires the board of managers of a district (board) that receives a request under Subsection (a) to approve the request and, not later than the 91st day before the date the removal will take effect, notify each service supplier providing service in the district of the scheduled removal. Requires the removal to take effect on a date that:

(1) allows the board to comply with the notice requirements of this section; and

(2) is not later than the 180th day after the date the board receives the request.

(c) Provides that removal of a municipality under this section does not diminish or impair the rights of the holders of any outstanding and unpaid bonds, warrants, or other obligations of the district.

(d) Requires a municipality, if the municipality is removed under this section, to compensate the district in an amount equal to the municipality's pro rata share of the district's indebtedness at the time the municipality is removed. Requires the district to apply compensation received from a municipality under this subsection

exclusively to the payment of the municipality's pro rata share of the district's indebtedness.

SECTION 2. Amends Section 772.314, Health and Safety Code, by adding Subsection (c-1), as follows:

(c-1) Authorizes the board to impose the 9-1-1 emergency service fee at the rate authorized by Subsection (c) (relating to a certain maximum amount of the fee) regardless of whether an election was held for the district under Chapter 288 (S.B. 750), Acts of the 69th Legislature, Regular Session, 1985, or former Article 1432e, V.T.C.S., at which the voters authorized a different rate.

SECTION 3. Effective date: upon passage or September 1, 2019.