

BILL ANALYSIS

C.S.H.B. 2340
By: Dominguez
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that assorted federal laws and policies hindered the response to and recovery from Hurricane Harvey. There have been calls for the state to work with the federal government to address these issues and to actively improve and streamline federal laws for emergency management, including issues of data sharing and data quality. C.S.H.B. 2340 seeks to answer those calls by encouraging the adoption of FEMA strategic planning goals, establishing a study group to pursue more effective use of unmanned aircraft in a disaster, establishing an information sharing work group to improve response to a disaster, and providing for the study of federal laws and policies related to issues affecting the ability of governments to cooperate in responding to a disaster to make recommendations for improvement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2340 amends the Government Code to include among the purposes of the Texas Disaster Act of 1975 the purpose of encouraging state agencies, local governments, nongovernmental organizations, private entities, and individuals to adopt the goals of the FEMA strategic plan for preparing for, responding to, and recovering from a disaster that emphasize cooperation among federal agencies, state agencies, local governments, nongovernmental organizations, private entities, and individuals in each activity or project undertaken to ensure that the state is prepared to effectively respond to and recover from a disaster.

C.S.H.B. 2340 establishes the unmanned aircraft study group to study issues related to the appropriate use of unmanned aircraft in responding to and recovering from a disaster, including certain specified strategies and recommended changes to state law. The bill sets out the study group's composition and requires the study group, not later than November 1, 2020, to submit a report to each member of the legislature containing recommendations on the issues studied. The study group is abolished and these provisions expire January 1, 2021.

C.S.H.B. 2340 requires the Texas Division of Emergency Management (TDEM) to establish an information sharing work group of state agencies involved in disaster management. The bill sets out the work group's composition and requires the work group to develop recommendations for improving the manner in which electronic information is stored by and shared among state agencies and between state agencies and federal agencies to improve the capacity of the agencies

to respond to a disaster and coordinate the agencies' responses to a disaster. The bill requires the work group, not later than November 1 of each even-numbered year, to submit the group's recommendations to the governor.

C.S.H.B. 2340 requires the Office of State-Federal Relations, in consultation with TDEM, and, as practicable, federal agencies and members of the U.S. Congress, to study federal laws and policies related to issues affecting the ability of federal agencies, state agencies, and local governments to cooperate in responding to a disaster and to make recommendations to improve federal laws and policies related to those issues. The bill requires the office to deliver a report of the recommendations to the Office of State-Federal Relations Advisory Policy Board not later than November 1, 2020. These provisions expire January 1, 2021.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2340 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises the composition of the unmanned aircraft study group and the information sharing work group by replacing as members representatives from Texas A&M University specifically with representatives from institutions of higher education in general.