

**SUBJECT:** Transferring administration of the Division of Emergency Management

**COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended

**VOTE:** 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt  
0 nays

**WITNESSES:** For — Rhonda Sepulveda, Catholic Charities of the Archdiocese of Galveston-Houston; Patrick Rios, City of Rockport; Mike Wisko, Texas Fire Chiefs Association; Jimmy Kendrick, Town of Fulton (*Registered, but did not testify*); Fatima Mann, Community Advocacy and Healing Project; Trent Townsend, DRC Emergency Services; J. Pete Laney, State Firefighters' and Fire Marshals' Association; Brian Yarbrough, Texas EMS Trauma & Acute Care Foundation; Monty Wynn, Texas Municipal League; Perry Fowler, Texas Water Infrastructure Network; Kay Roach, Town of Woodsboro)  
  
Against — None  
  
On — Nim Kidd, Texas Division of Emergency Management, Texas Emergency Management Council; (*Registered, but did not testify*: Shack Nail, Employees Retirement System of Texas)

**DIGEST:** CSHB 2794 would transfer the administration of the Texas Division of Emergency Management (TDEM) from the Texas Department of Public Safety (DPS) to the Texas A&M University System and maintain all previously established rules, policies, procedures, and decisions. All employees of TDEM as operated by DPS would become employees of TDEM under the A&M System.  
  
DPS and the A&M System would enter into a memorandum of understanding relating to the transfer no later than June 1, 2019. The memorandum would include:

- a timetable and specific steps and methods for the transfer;
- measures to ensure against any unnecessary disruption to the operation of TDEM during the transfer process; and
- a provision that the terms of any memorandum of understanding entered into previously by the governor, the A&M System, DPS and TDEM and related to the transfer remained in effect until the transfer was completed.

The bill would establish that any reference in law or administrative rule to DPS relating to the administration of TDEM be understood to mean the A&M System. It would also make many specific changes to statute to reflect the new arrangement and would update other proper names that were no longer in use.

CSHB 2794 would make DPS responsible for the employer contribution for the cost of retiree insurance for employees of TDEM who retired before September 1, 2019.

TDEM would manage and staff the state operations center under an agreement with DPS.

The bill would remove a representative of the governor's office of homeland security from a list of personnel required to meet bimonthly to coordinate the state's emergency management and homeland security efforts.

The chief of TDEM would be appointed by the governor and serve at the pleasure of the governor. The governor would be required to review the composition of the Emergency Management Council at least biennially and to update or expand the participating entities if necessary.

The transfer and related administrative changes would be effective as of September 1, 2019.

The bill would take immediate effect if finally passed by a two-thirds

record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

CSHB 2794 would save lives and property in Texas by streamlining the state's administrative structure with regard to natural disasters. The governor's Commission to Rebuild Texas found that the state's response to and recovery from natural disasters could be improved if responsible state agencies were integrated more effectively. To that end, the commission recommended that TDEM be unified with the emergency management system functions currently performed by the Texas A&M University System. This change has already begun, with the two entities having entered into a memorandum of understanding that expires on August 31, 2019.

CSHB 2794 would help the state move toward its goal of creating a single, unified structure for emergency preparation, prevention, response, recovery, and mitigation.

**OPPONENTS  
SAY:**

No concerns identified.