

BILL ANALYSIS

Senate Research Center

H.B. 1471
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law reduces the vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from several types of emergency situations. However, the law does not address liability for borrowed equipment or other property between two political subdivisions or regional planning commissions that is used during emergency situations. As a result, many of these local governmental entities (entities) have to go through elaborate procedures and lengthy decision making processes which can significantly increase the response time in an emergency situation.

H.B. 1471 sets forth certain circumstances in which an entity is authorized to share its resources with another entity regardless of the process required for sharing resources under an emergency management plan. The bill also requires the borrowing entity to obtain appropriate insurance coverage for the appropriate period for the borrowed property, if requested by the lending entity.

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 E, Chapter 418, Government Code, by adding Sections 418.111 and 418.112, as follows:

Sec. 418.111. EXPEDITED RESOURCE SHARING. (a) Defines "local entity."

(b) Authorizes a local entity to designate by majority vote of its governing body an individual authorized to approve resource sharing agreements under this section.

(c) Authorizes a local entity to share its resources with another local entity, regardless of the process required for sharing resources under an emergency management plan or program or local law, only if the entity is authorized by an individual designated under Subsection (b) for the sharing entity's governing body and either the governor declares a state of disaster as provided by Section 418.014 (Declaration of State of Disaster) in an area located wholly or partly in the boundaries of the local entity with which the resources are shared or the individuals designated under Subsection (b) for the governing bodies of both local entities enter into an agreement to share the resources.

Sec. 418.112. COVERAGE FOR BORROWED EQUIPMENT. Requires a political subdivision that borrows equipment or other property from another political subdivision as authorized by this subchapter (Local and Interjurisdictional Emergency Management) to obtain, if requested by the lending political subdivision, appropriate coverage for the borrowed property for the period during which the property is borrowed. Defines "appropriate coverage."

SECTION 2. Effective date: upon passage or September 1, 2007.