

BILL ANALYSIS

Senate Research Center
83R14904 VOO-F

H.B. 3178
By: Phillips (Estes)
Agriculture, Rural Affairs, & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When a natural disaster occurs, part of the recovery process may include seeking disaster relief assistance from the Federal Emergency Management Agency (FEMA). However, interested parties report that FEMA has cited parts of current Texas law regarding the statewide mutual disaster aid system as a reason to decline disaster relief to some jurisdictions. Under the law, local governments may enter into mutual aid agreements to assist one another when response needs exceed an individual jurisdiction's capabilities. While the law was originally intended to encourage local governments in a planning region to work together within the region, critics assert that local governments and others involved in emergency management have found that certain procedures and requirements for regional mutual aid overstep local control of emergency management planning and thus have not endorsed or adhered to the policies. FEMA has identified this situation as a reason to decline federal funding.

H.B. 3178 amends current law relating to the Texas Statewide Mutual Aid System.

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 Section 418.115(a), Government Code, to require that a request for mutual aid assistance, if the request is submitted verbally, be confirmed in writing, rather than in writing not later than the 30th day after the date the request was made.

SECTION 2. Amends Section 418.1181(a), Government Code, to require a local government entity, if the requesting local government entity requests mutual aid assistance from another local government entity under the system that requires a response that exceeds 12 consecutive hours, to reimburse the actual costs of providing mutual aid assistance to the responding local government entity, including costs for personnel, operation and maintenance of equipment, damaged equipment, food, lodging, and transportation, incurred by the responding local government entity in response to a request for reimbursement.

SECTION 3. Repealer: Section 418.114 (Procedures for Mutual Aid), Government Code.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2013.