

BILL ANALYSIS

Senate Research Center

H.B. 2340
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Water & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Assorted federal laws and policies hindered Texas' response and recovery from Hurricane Harvey. The state must work with Congress and key federal agencies to address these issues to actively improve and streamline federal laws for emergency management. Data sharing of electronic information and the quality of data available was another serious issue faced in the days of Hurricane Harvey. Certain agencies were unable to "talk" to other agencies because of incompatible data. Meanwhile, drones played an important role in the aftermath of Harvey and this technology is becoming increasingly important during disasters and the laws affecting them should be studied.

H.B. 2340 relates to emergency and disaster management, response, and recovery:

- encourages federal-state partnerships to reduce red tape and streamline federal policies to be better prepared for future disasters;
- makes recommendations to improve federal laws and policies related to responding to a disaster, housing assistance, information sharing, and federal disaster assistance programs;
- creates an information sharing work group to develop recommendations for improving the way electronic information is stored and shared among state agencies to improve response to a disaster; and
- creates an unmanned aircraft study group to recommend changes to state law that would allow a more effective use of unmanned aircraft during response and recovery of a disaster.

H.B. 2340 amends current law relating to emergency and disaster management, response, and recovery.

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 418.002, Government Code, as follows:

(1)–(7) makes no changes to these subdivisions;

(8) makes a nonsubstantive change;

(9) encourage state agencies, local governments, nongovernmental organizations, private entities, and individuals to adopt the goals of the strategic plan of the Federal Emergency Management Agency 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 this state is prepared to effectively respond to and recover from a disaster; and

(10) creates this Subdivision from existing text and makes no further changes.

SECTION 2. Amends Subchapter C, Chapter 418, Government Code, by adding Sections 418.054 and 418.055, as follows:

Sec. 418.054. UNMANNED AIRCRAFT STUDY GROUP. (a) Defines "study group" for purposes of this section.

(b) Provides that the unmanned aircraft study group is established and consists of the following members appointed by the chief of the Texas Division of Emergency Management (TDEM):

- (1) representatives of TDEM;
- (2) representatives from institutions of higher education; and
- (3) other appropriate interested persons.

(c) Requires the study group to study issues related to the appropriate use of unmanned aircraft in responding to and recovering from a disaster, including:

- (1) strategies for coordinating and promoting the use of unmanned aircraft among state agencies, local governments, and private entities in the response and recovery; and
- (2) recommended changes to state law that would allow state agencies, local governments, and private entities to more effectively use unmanned aircraft in the response and recovery.

(d) Requires the study group, not later than November 1, 2020, to submit a report containing recommendations on the issues described by Subsection (c) to each member of the legislature.

(e) Provides that the study group is abolished and this section expires January 1, 2021.

Sec. 418.055. INFORMATION SHARING WORK GROUP. (a) Defines "work group" for purposes of this section.

(b) Requires TDEM to establish a work group of state agencies involved in disaster management. Provides that the work group consists of members appointed by the chief of TDEM who represent:

- (1) the office of the Comptroller of Public Accounts of the State of Texas;
- (2) the Department of State Health Services (DSHS);
- (3) the Texas Department of Transportation;
- (4) the Texas General Land Office (GLO);
- (5) the Health and Human Services Commission;
- (6) institutions of higher education; and
- (7) to the extent practicable, appropriate federal agencies.

(c) 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:

- (1) respond to a disaster; and
- (2) coordinate the agencies' responses to a disaster.

(d) Requires the work group, not later than November 1 of each even-numbered year, to submit the group's recommendations to the governor.

SECTION 3. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.056 as follows:

Sec. 418.056. PERMITTING TASK FORCE. (a) Requires TDEM to form a task force with representatives from the GLO, the Texas Commission on Environmental Quality, the Texas Parks and Wildlife Department, the Texas Water Development Board, Texas A&M AgriLife Extension Service, DSHS, the Public Utility Commission of Texas, and the Texas Historical Commission to be activated if a state of disaster is declared under Section 418.014 (Declaration of State of Disaster) because of weather conditions to expedite:

- (1) environmental permitting; and
- (2) access to funds from federal disaster relief programs following the disaster.

(b) Requires the task force formed under this section to develop recommendations for expediting the evaluation of environmental permits during disaster recovery in order for local entities to demonstrate compliance with regulations and access federal disaster relief programs and funding.

(c) Authorizes the task force in performing its duties under this section to use resources of agencies participating in the task force.

SECTION 4. Amends Subchapter A, Chapter 751, Government Code, by adding Section 751.017, as follows:

Sec. 751.017. FEDERAL LEGISLATIVE AND POLICY RECOMMENDATIONS REGARDING DISASTER ASSISTANCE. (a) Requires the office of State Federal Relations (OSFR), in consultation with TDEM, and, as practicable, federal agencies and members of Congress, to:

- (1) 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, including issues related to procurement, housing assistance, information sharing, personnel, and federal disaster assistance programs; and
- (2) make recommendations to improve federal laws and policies related to the issues described by Subdivision (1).

(b) Requires OSFR, not later than November 1, 2020, to deliver to the OSFR Advisory Policy Board a report of the recommendations described by Subsection (a)(2).

(c) Provides that this section expires January 1, 2021.

SECTION 5. Effective date: September 1, 2019.