

## **BILL ANALYSIS**

Senate Research Center

H.B. 2952  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Created in 2011 via H.B. 442, the Emergency Radio Infrastructure Account is used to fund the planning, development, provision, enhancement, and maintenance of an interoperable statewide emergency radio system. The account currently is managed by the Department of Public Safety (DPS) and provides grants to regional councils of government, state agencies, or other entities. Projects funded by these grants help develop and maintain critical public safety infrastructure.

DPS' ability to manage this program was diminished, however, due to administrative changes after the development of the Homeland Security Grants Division in the Office of the Governor (governor's office). Accordingly, H.B. 2952 would shift responsibility for the Emergency Radio Infrastructure Account to the governor's office. This change would ensure that this important account is overseen by an entity with the proper resources and capacity to manage it.

H.B. 2952 amends current law relating to the establishment of an emergency radio infrastructure grant program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Office of the Governor in SECTION 1 (Section 411.4015, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter N, Chapter 411, Government Code, by adding Section 411.4015, as follows:

Sec. 411.4015. GRANTS TO FINANCE INTEROPERABLE STATEWIDE EMERGENCY RADIO INFRASTRUCTURE. (a) Requires the Office of the Governor (governor's office) to establish a program to provide grants (program) as provided by Section 411.402 (Use of Revenue).

(b) Requires the governor's office to establish procedures to administer the program, including a procedure for the submission of a proposal and a procedure to be used by the governor's office to evaluate a proposal.

(c) Requires the governor's office to enter into a contract that includes performance requirements with each grant recipient. Requires the governor's office to monitor and enforce the terms of the contract.

(d) Requires the governor's office to adopt rules to administer this section.

SECTION 2. Amends Section 411.402, Government Code, as follows:

Sec. 411.402. New heading: USE OF GRANTS. (a) Authorizes a grant provided under Section 411.4015, rather than authorizing fees collected under Section 133.102(e)(11) (relating to requiring the comptroller of public accounts of the State of Texas (comptroller) to allocate a certain percentage of certain court costs to an account in the state treasury to be used for the establishment and operation of the Correctional

Management Institute of Texas and Criminal Justice Center Account), Local Government Code, to only:

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

(4) be made, rather than be distributed as grants by the Department of Public Safety of the State of Texas (DPS), to certain entities; or

(5) makes no changes to this subdivision.

(b) Prohibits a grant provided under Section 411.4015, rather than prohibiting fees collected and distributed as provided by this subchapter (Interoperable Statewide Emergency Radio Infrastructure), from being used to purchase or maintain radio subscriber equipment.

SECTION 3. Amends Sections 411.403(b) and (c), Government Code, as follows:

(b) Provides that the emergency radio infrastructure account (account) consists of:

(1) fees deposited in the account as provided by Section 133.102(e)(9) (relating to requiring the comptroller to allocate a certain percentage of certain court costs to the account), rather than Section 133.102(e)(11), Local Government Code; and

(2) makes no changes to this subdivision.

(c) Authorizes money in the account to be used only for grants made under this subchapter, rather than appropriated to DPS for the purposes described by Section 411.402.

SECTION 4. Effective date: September 1, 2019.