

BILL ANALYSIS

Senate Research Center

S.B. 285
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Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas General Land Office (GLO) published a report in August 2018 called "Hurricane Harvey: Texas at Risk." The report detailed lessons learned from Hurricane Harvey and recommended 18 changes to better prepare for the next natural disaster.

In that report, GLO recommended that a "comprehensive Texas public information campaign through multiple mechanisms should be implemented before, during, and after major disasters to explain to the public what the federal and state government's programs can assist them with during a major disaster, but also what they will not do under federal and state law."

GLO made this recommendation because of an "information gap" in disaster recovery resources. It found that local officials and the public did not fully understand what resources state and federal law guarantee to natural disaster victims. This information gap led to over-reliance on government resources and inadequate preparation—including, in many cases, insufficient flood insurance coverage. In fact, the report found that "83 percent of the homes impacted by Hurricane Harvey did not have flood insurance."

S.B. 285 establishes two means of distributing hurricane preparedness and assistance information.

First, the governor will issue a proclamation before each hurricane season that instructs (1) individuals to prepare their property and communities for hurricane season, (2) state agencies to update their hurricane preparedness plans, and (3) cities, counties, and various state agencies to conduct outreach on hurricane preparedness.

Second, GLO will conduct a public information campaign each year before and during hurricane season. The campaign will provide local officials and the public with information about what housing resources state and federal law does and does not provide in the aftermath of a hurricane or flood.

The committee substitute adds the Department of State Health Services to the list of entities instructed by the governor to conduct public outreach and education activities. (Original Author's/Sponsor's Statement of Intent)

S.B. 285 amends current law relating to information, outreach, and other actions regarding hurricane preparedness and mitigation.

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 F, Chapter 418, Government Code, by adding Sections 418.127, 418.128, and 418.129, as follows:

Sec. 418.127. HURRICANE PREPAREDNESS. Requires the governor to issue a proclamation each year before hurricane season instructing:

- (1) individuals, including residential and commercial property owners, to prepare their property and communities for the upcoming hurricane season;
- (2) state agencies to review and update their hurricane preparedness plans; and
- (3) the following entities, to the extent practicable, to conduct community outreach and education activities on hurricane preparedness between May 25 and May 31 of each year:
 - (A) municipalities and counties;
 - (B) the Texas Division of Emergency Management (TDEM);
 - (C) the Texas Education Agency;
 - (D) the Office of the Comptroller of Public Accounts of the State of Texas;
 - (E) the Texas Department of Insurance; and
 - (F) the Department of State Health Services.

Sec. 418.128. STATE AGENCY HURRICANE PREPAREDNESS. (a) Requires the governor, in consultation with TDEM and each appropriate state agency as determined by the governor, not later than the 30th day after the date the governor issues a proclamation under Section 418.127, to publish on the Office of the Governor's Internet website a report on the preparedness of state agencies for hurricane response. Requires the report to include:

- (1) a list of each state agency involved in this state's response to a hurricane;
 - (2) contact information for each state agency in the event of a hurricane, including the name, e-mail address, and telephone number of the officer or employee who manages the state agency's response to a hurricane; and
 - (3) whether the officer or employee under Subdivision (2) has completed the emergency management training course described by Section 418.005 (Emergency Management Training).
- (b) Authorizes the governor, notwithstanding any other law, to, by executive order, take any action necessary to ensure each state agency listed under Subsection (a)(1) is able to respond to a hurricane. Requires an executive order issued under this subsection to be published in the Texas Register and provides that the order expires on the last day of the first regular session of the legislature to convene after the date the order is issued unless the governor specifies an earlier expiration date in the order.
- (c) Defines "response" for purposes of this section.

Sec. 418.129. HOUSING ASSISTANCE INFORMATION. Requires the Texas General Land Office to conduct a public information campaign each year before and during hurricane season to provide local officials and the public with information regarding housing assistance that may be available under state and federal law in the event of a

major hurricane or flooding event, including information about types of assistance unavailable under that law.

SECTION 2. Effective date: September 1, 2019.