

AN ACT

relating to the continuation and functions of the Commission on State Emergency Communications.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 771.032, Health and Safety Code, is amended to read as follows:

Sec. 771.032. APPLICATION OF SUNSET ACT. The Commission on State Emergency Communications is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2023 [~~2011~~].

SECTION 2. Subchapter B, Chapter 771, Health and Safety Code, is amended by adding Section 771.040 to read as follows:

Sec. 771.040. NEGOTIATED RULEMAKING AND ALTERNATIVE DISPUTE RESOLUTION. (a) The commission shall develop and implement a policy to encourage the use of:

(1) negotiated rulemaking procedures under Chapter 2008, Government Code, for the adoption of commission rules; and

(2) appropriate alternative dispute resolution procedures under Chapter 2009, Government Code, to assist in the resolution of internal and external disputes under the commission's jurisdiction.

(b) The commission's procedures relating to alternative dispute resolution must conform, to the extent possible, to any

1 model guidelines issued by the State Office of Administrative
2 Hearings for the use of alternative dispute resolution by state
3 agencies.

4 (c) The commission shall:

5 (1) coordinate the implementation of the policy
6 adopted under Subsection (a);

7 (2) provide training as needed to implement the
8 procedures for negotiated rulemaking or alternative dispute
9 resolution; and

10 (3) collect data concerning the effectiveness of those
11 procedures.

12 SECTION 3. Subchapter C, Chapter 771, Health and Safety
13 Code, is amended by adding Section 771.0511 to read as follows:

14 Sec. 771.0511. EMERGENCY SERVICES INTERNET PROTOCOL
15 NETWORK; EMERGENCY COMMUNICATIONS ADVISORY COMMITTEE. (a) In this
16 section:

17 (1) "Advisory committee" means the Emergency
18 Communications Advisory Committee.

19 (2) "State-level emergency services Internet Protocol
20 network" means a private Internet Protocol network or Virtual
21 Private Network that:

22 (A) is used for communications between and among
23 public safety answering points and other entities that support or
24 are supported by public safety answering points in providing
25 emergency call handling and response; and

26 (B) will be a part of the Texas Next Generation
27 Emergency Communications System.

1 (b) The commission, with the assistance of an advisory
2 committee, may coordinate the development, implementation, and
3 management of an interconnected, state-level emergency services
4 Internet Protocol network.

5 (c) If the commission acts under Subsection (b), the
6 commission shall establish policy and oversee agency involvement in
7 the development and implementation of the interconnected,
8 state-level emergency services Internet Protocol network.

9 (d) If the commission acts under Subsection (b), the
10 commission shall appoint an advisory committee. The advisory
11 committee must include at least:

12 (1) one representative from a regional planning
13 commission;

14 (2) one representative from an emergency
15 communication district, as that term is defined by Section
16 771.001(3)(A); and

17 (3) one representative from an emergency
18 communication district, as that term is defined by Section
19 771.001(3)(B).

20 (e) In appointing members of an advisory committee, the
21 commission shall consult with regional planning commissions and
22 emergency communication districts throughout the state. The
23 commission shall ensure that each member of the advisory committee
24 has appropriate training, experience, and knowledge in 9-1-1
25 systems and network management to assist in the implementation and
26 operation of a complex network.

27 SECTION 4. This Act takes effect immediately if it receives

H.B. No. 1861

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2011.

H.B. No. 1861

President of the Senate

Speaker of the House

I certify that H.B. No. 1861 was passed by the House on April 15, 2011, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1861 was passed by the Senate on May 17, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor