<u>CHAPTER 33</u> <u>S.B. No. 756</u>

1 AN ACT

2 relating to a declaration of a local state of disaster by certain

- 3 joint airport boards.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Section 418.004, Government Code, is amended by
- 6 adding Subdivision (8) to read as follows:
- 7 (8) "Joint board" means a board created under Section
- 8 22.074, Transportation Code, whose constituent agencies are
- 9 populous home-rule municipalities as defined by Section 22.071,
- 10 Transportation Code.
- 11 SECTION 2. Subsection (b), Section 418.102, Government
- 12 Code, is amended to read as follows:
- (b) The county program is the first channel through which a
- 14 municipal corporation or a joint board shall request assistance
- 15 when its resources are exceeded. Requests that exceed the county
- 16 capability shall be forwarded to the state as prescribed in the
- 17 state emergency management plan.
- 18 SECTION 3. Section 418.108, Government Code, is amended to
- 19 read as follows:
- 20 Sec. 418.108. DECLARATION OF LOCAL DISASTER. (a) Except
- 21 as provided by Subsection (e), the [The] presiding officer of the
- 22 governing body of a political subdivision may declare a local state
- 23 of disaster.
- (b) A declaration of local disaster may not be continued or

- 1 renewed for a period of more than seven days except with the consent
- 2. of the governing body of the political subdivision or the joint
- 3 board as provided by Subsection (e), as applicable.
- 4 (c) An order or proclamation declaring, continuing, or
- 5 terminating a local state of disaster shall be given prompt and
- 6 general publicity and shall be filed promptly with the city
- 7 secretary, the [or] county clerk, or the joint board's official
- 8 <u>records</u>, as applicable.
- 9 (d) A declaration of local disaster activates the recovery
- 10 and rehabilitation aspects of all applicable local or
- 11 interjurisdictional emergency management plans and authorizes the
- 12 furnishing of aid and assistance under the declaration. The
- 13 preparedness and response aspects of the plans are activated as
- 14 provided in the plans.
- (e) The chief administrative officer of a joint board has
- 16 exclusive authority to declare that a local state of disaster
- exists within the boundaries of an airport operated or controlled
- 18 by the joint board, regardless of whether the airport is located in
- 19 or outside the boundaries of a political subdivision.
- 20 SECTION 4. This Act takes effect immediately if it receives
- 21 a vote of two-thirds of all the members elected to each house, as
- · 22 provided by Section 39, Article III, Texas Constitution. If this
  - 23 Act does not receive the vote necessary for immediate effect, this
  - Act takes effect September 1, 2003.

## regard Dewhurst

President of the Senate Speaker of the House

<u>I hereby certify</u> that S.B. No. 756 passed the Senate on April 3, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on April 30, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

<u>I hereby certify</u> that S.B. No. 756 passed the House, with amendment, on April 25, 2003, by the following vote: Yeas 146, Nays O, two present not voting.

Chief Clerk of the House

Approved:

14 May '03

Date

ICK HERRY

FILED IN THE OFFICE OF THE SECRETARY OF STATE

MAY 1:4 2000

Secretary of State