

By: Martinez, Lucio III, Canales

H.B. No. 1090

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Texas Task Force 1 Type 3 Rio Grande Valley.

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

SECTION 1. The heading to Subchapter D, Chapter 88, Education Code, is amended to read as follows:

SUBCHAPTER D. TEXAS TASK FORCE [~~1~~]

SECTION 2. Section 88.301(2), Education Code, is amended to read as follows:

(2) "Member" means an individual, other than an employee of The Texas A&M University System, who has been officially designated as a member of a task force established under this subchapter [~~Texas Task Force 1~~].

SECTION 3. Subchapter D, Chapter 88, Education Code, is amended by adding Section 88.3025 and amending Section 88.303 to read as follows:

Sec. 88.3025. TEXAS TASK FORCE 1 TYPE 3 RIO GRANDE VALLEY.

(a) The board shall establish Texas Task Force 1 Type 3 Rio Grande Valley as a program of the Texas A&M Engineering Extension Service.

(b) The training and assistance capabilities of Texas Task Force 1 Type 3 Rio Grande Valley must be substantially equivalent to the training and assistance capabilities of the Texas Task Force 1 program described in Section 88.302.

(c) The headquarters of Texas Task Force 1 Type 3 Rio Grande

1 Valley shall be located in the Rio Grande Valley.

2 (d) Texas Task Force 1 Type 3 Rio Grande Valley is a program
3 of the Texas A&M Engineering Extension Service providing training
4 and responding to assist in search, rescue, and recovery efforts
5 following natural or man-made disasters. The task force's
6 responsibilities include:

7 (1) building collapse;

8 (2) search and rescue;

9 (3) confined space rescue;

10 (4) trench rescue;

11 (5) high and low angle rescue;

12 (6) swift water rescue;

13 (7) hazardous materials response;

14 (8) public works strike team response;

15 (9) heavy transportation extrication;

16 (10) wide-area search;

17 (11) technical rescue; and

18 (12) public safety.

19 (e) The task force will operate, train, respond, and
20 function under Texas Task Force 1.

21 (f) The members of Texas Task Force 1 Type 3 Rio Grande
22 Valley are responsible for any costs and expenses related to the
23 operation, training, and equipment of the task force, including the
24 procurement and maintenance of equipment and supplies.

25 (g) A member of Texas Task Force 1 Type 3 Rio Grande Valley
26 may be reimbursed for the member's expenses incurred while
27 activated and deployed in the same manner as a member of Texas Task

1 Force 1.

2 Sec. 88.303. WORKERS' COMPENSATION INSURANCE COVERAGE. (a)
3 Notwithstanding any other law, during any period in which a task
4 force established under this subchapter [~~Texas Task Force 1~~] is
5 activated by the Texas Division of Emergency Management, or during
6 any training session sponsored or sanctioned by a task force
7 established under this subchapter [~~Texas Task Force 1~~], a
8 participating nongovernment member or local government employee
9 member is included in the coverage provided under Chapter 501,
10 Labor Code, in the same manner as an employee, as defined by Section
11 501.001, Labor Code.

12 (b) Service with a task force established under this
13 subchapter [~~Texas Task Force 1~~] by a state employee member who is
14 activated is considered to be in the course and scope of the
15 employee's regular employment with the state.

16 (c) Service with a task force established under this
17 subchapter [~~Texas Task Force 1~~] by an employee of The Texas A&M
18 University System is considered to be in the course and scope of the
19 employee's regular employment with The Texas A&M University System.

20 (d) Notwithstanding Section 412.0123, Labor Code, as added
21 by Chapter 1098, Acts of the 75th Legislature, Regular Session,
22 1997, the Texas Division of Emergency Management shall reimburse
23 the State Office of Risk Management for the actual medical and
24 indemnity benefits paid on behalf of a covered member of a task
25 force established under this subchapter [~~Texas Task Force 1~~] at the
26 beginning of the next state fiscal year occurring after the date the
27 benefits are paid.

1 SECTION 4. Subchapter C, Chapter 418, Government Code, is
2 amended by adding Section 418.052 to read as follows:

3 Sec. 418.052. STUDY REGARDING THE NEED FOR SEARCH AND
4 RESCUE TASK FORCES. (a) The department shall study the task force
5 established under Section 88.3025, Education Code. The study must
6 include:

7 (1) an assessment of the effectiveness of the task
8 force and any lessons learned from the operation of that task force;

9 (2) the need to establish and operate similar task
10 forces in other regions; and

11 (3) any other matter that the department considers
12 relevant to the topic of the study.

13 (b) The department shall report the results of the study to
14 the legislature on or before the first anniversary of the effective
15 date of House Bill 1090, as enacted by the 83rd Legislature, Regular
16 Session, 2013.

17 (c) This section expires January 1, 2015.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2013.