

1-1 By: Martinez, Lucio III, Canales H.B. No. 1090  
 1-2 (Senate Sponsor - Hinojosa)  
 1-3 (In the Senate - Received from the House April 29, 2013;  
 1-4 April 30, 2013, read first time and referred to Committee on  
 1-5 Agriculture, Rural Affairs, and Homeland Security; May 20, 2013,  
 1-6 reported favorably by the following vote: Yeas 3, Nays 0;  
 1-7 May 20, 2013, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11			X	
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the creation of Texas Task Force 1 Type 3 Rio Grande  
 1-18 Valley.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Subchapter D, Chapter 88,  
 1-21 Education Code, is amended to read as follows:

1-22 SUBCHAPTER D. TEXAS TASK FORCE [1]

1-23 SECTION 2. Section 88.301(2), Education Code, is amended to  
 1-24 read as follows:

1-25 (2) "Member" means an individual, other than an  
 1-26 employee of The Texas A&M University System, who has been  
 1-27 officially designated as a member of a task force established under  
 1-28 this subchapter [~~Texas Task Force 1~~].

1-29 SECTION 3. Subchapter D, Chapter 88, Education Code, is  
 1-30 amended by adding Section 88.3025 and amending Section 88.303 to  
 1-31 read as follows:

1-32 Sec. 88.3025. TEXAS TASK FORCE 1 TYPE 3 RIO GRANDE VALLEY.

1-33 (a) The board shall establish Texas Task Force 1 Type 3 Rio Grande  
 1-34 Valley as a program of the Texas A&M Engineering Extension Service.

1-35 (b) The training and assistance capabilities of Texas Task  
 1-36 Force 1 Type 3 Rio Grande Valley must be substantially equivalent to  
 1-37 the training and assistance capabilities of the Texas Task Force 1  
 1-38 program described in Section 88.302.

1-39 (c) The headquarters of Texas Task Force 1 Type 3 Rio Grande  
 1-40 Valley shall be located in the Rio Grande Valley.

1-41 (d) Texas Task Force 1 Type 3 Rio Grande Valley is a program  
 1-42 of the Texas A&M Engineering Extension Service providing training  
 1-43 and responding to assist in search, rescue, and recovery efforts  
 1-44 following natural or man-made disasters. The task force's  
 1-45 responsibilities include:

- 1-46 (1) building collapse;
- 1-47 (2) search and rescue;
- 1-48 (3) confined space rescue;
- 1-49 (4) trench rescue;
- 1-50 (5) high and low angle rescue;
- 1-51 (6) swift water rescue;
- 1-52 (7) hazardous materials response;
- 1-53 (8) public works strike team response;
- 1-54 (9) heavy transportation extrication;
- 1-55 (10) wide-area search;
- 1-56 (11) technical rescue; and
- 1-57 (12) public safety.

1-58 (e) The task force will operate, train, respond, and  
 1-59 function under Texas Task Force 1.

1-60 (f) The members of Texas Task Force 1 Type 3 Rio Grande  
 1-61 Valley are responsible for any costs and expenses related to the

2-1 operation, training, and equipment of the task force, including the  
2-2 procurement and maintenance of equipment and supplies.

2-3 (g) A member of Texas Task Force 1 Type 3 Rio Grande Valley  
2-4 may be reimbursed for the member's expenses incurred while  
2-5 activated and deployed in the same manner as a member of Texas Task  
2-6 Force 1.

2-7 Sec. 88.303. WORKERS' COMPENSATION INSURANCE COVERAGE. (a)  
2-8 Notwithstanding any other law, during any period in which a task  
2-9 force established under this subchapter [~~Texas Task Force 1~~] is  
2-10 activated by the Texas Division of Emergency Management, or during  
2-11 any training session sponsored or sanctioned by a task force  
2-12 established under this subchapter [~~Texas Task Force 1~~], a  
2-13 participating nongovernment member or local government employee  
2-14 member is included in the coverage provided under Chapter 501,  
2-15 Labor Code, in the same manner as an employee, as defined by Section  
2-16 501.001, Labor Code.

2-17 (b) Service with a task force established under this  
2-18 subchapter [~~Texas Task Force 1~~] by a state employee member who is  
2-19 activated is considered to be in the course and scope of the  
2-20 employee's regular employment with the state.

2-21 (c) Service with a task force established under this  
2-22 subchapter [~~Texas Task Force 1~~] by an employee of The Texas A&M  
2-23 University System is considered to be in the course and scope of the  
2-24 employee's regular employment with The Texas A&M University System.

2-25 (d) Notwithstanding Section 412.0123, Labor Code, as added  
2-26 by Chapter 1098, Acts of the 75th Legislature, Regular Session,  
2-27 1997, the Texas Division of Emergency Management shall reimburse  
2-28 the State Office of Risk Management for the actual medical and  
2-29 indemnity benefits paid on behalf of a covered member of a task  
2-30 force established under this subchapter [~~Texas Task Force 1~~] at the  
2-31 beginning of the next state fiscal year occurring after the date the  
2-32 benefits are paid.

2-33 SECTION 4. Subchapter C, Chapter 418, Government Code, is  
2-34 amended by adding Section 418.052 to read as follows:

2-35 Sec. 418.052. STUDY REGARDING THE NEED FOR SEARCH AND  
2-36 RESCUE TASK FORCES. (a) The department shall study the task force  
2-37 established under Section 88.3025, Education Code. The study must  
2-38 include:

2-39 (1) an assessment of the effectiveness of the task  
2-40 force and any lessons learned from the operation of that task force;

2-41 (2) the need to establish and operate similar task  
2-42 forces in other regions; and

2-43 (3) any other matter that the department considers  
2-44 relevant to the topic of the study.

2-45 (b) The department shall report the results of the study to  
2-46 the legislature on or before the first anniversary of the effective  
2-47 date of House Bill 1090, as enacted by the 83rd Legislature, Regular  
2-48 Session, 2013.

2-49 (c) This section expires January 1, 2015.

2-50 SECTION 5. This Act takes effect immediately if it receives  
2-51 a vote of two-thirds of all the members elected to each house, as  
2-52 provided by Section 39, Article III, Texas Constitution. If this  
2-53 Act does not receive the vote necessary for immediate effect, this  
2-54 Act takes effect September 1, 2013.

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