

**State of Texas
Texas Legislature**

Senator Brian Birdwell
Senate District 22



Representative Shelby Slawson
House District 59

**For Immediate Release
February 22, 2023**

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Senator Birdwell and Representative Slawson file SB 1104, SJR 58 and HB 2654, HJR 121

These companion bills and joint resolutions will rebalance powers in times of emergency and disaster

AUSTIN—State Senator Brian Birdwell (R-Granbury) and State Representative Shelby Slawson (R-Stephenville) filed, as companion legislation, Senate Joint Resolution 58, Senate Bill 1104, and House Joint Resolution 121, House Bill 2654 on Wednesday to rebalance the legislative and executive purviews in times of disaster and emergency.

Current disaster law, The Texas Disaster Act of 1975, was designed to empower the executive branch to oversee an unencumbered, uniform response to potential threats facing Texas. However, the Act was also intended to engage the legislative branch as a check to this power--a check of power that is conspicuously unavailable outside of the regular session, which lasts for 140 days every two years.

The legislation acknowledges and retains the governor's role as primary emergency management director during a state of disaster by preserving most of the governor's current powers under Chapters 418 and 433 of the Texas Government Code. To that end, the governor's response capabilities are left largely untouched for the first thirty days of a disaster/emergency declaration.

SJR 58/HJR 121—in conjunction with SB 1104/HB 2654—would install the legislative check originally contemplated in the Texas Disaster Act of 1975. Specifically, the legislation would require the governor to call a special session if he or she desires to continue a declaration past thirty days when the declaration impacts any one of the following thresholds: half of the state's population; 2/5 of the state's counties (102 or more counties); or 2/3 of the counties in three or more of the state's trauma service regions.

“These pieces of legislation institute the legislative check originally contemplated by the disaster act without unnecessarily encumbering the governor's response to more routinely recurring disasters that do not affect a substantial number of citizens of the state,” said Birdwell. “I’m excited to continue the work we did last session and am honored to work with such a highly capable member from the House in Representative Slawson to champion these bills in the House.”

"As our state grows, so does the imperative of ensuring the legislative branch is at work for Texans in times of disaster and emergency, alongside the executive branch," said Slawson. "It is a privilege to partner with Senator Birdwell and colleagues in both chambers to protect and preserve the balance of powers for generations of Texans to come.”

This legislation is a part of a larger package working to rebalance the legislative and executive purviews giving the people’s representatives a larger voice while not in a legislative session.

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Senator Brian Birdwell represents Senate District 22 which includes Bosque, Comanche, Eastland, Ellis [partial] Erath, Falls, Hamilton, Hill, Hood, McLennan, Somervell and Tarrant [partial] counties.

Representative Shelby Slawson represents House District 59 which includes Coryell, Erath, Hamilton and Hood counties.