

# **Emergency Management. General Provisions.**

**Government Code: Title 4: Executive Branch:**

**Sub-Title B: Law Enforcement & Public Protection.**

**Chapter 418: Emergency Management. Sub-Chapter A. General Provisions.**

**2019 Texas Statutes:**

<https://law.justia.com/codes/texas/2019/government-code/title-4/subtitle-b/chapter-418/subchapter-a/section-418-002/>

## **Sec. 418.002. Purposes.**

**The purposes of this chapter are to:**

- (1) reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or man-made catastrophes, riots, or hostile military or paramilitary action;**
- (2) prepare for prompt and efficient rescue, care, and treatment of persons victimized or threatened by disaster;**
- (3) provide a setting conducive to the rapid and orderly restoration and rehabilitation of persons and property affected by disasters;**
- (4) clarify and strengthen the roles of the governor, state agencies, the judicial branch of state government, and local governments in prevention of, preparation for, response to, and recovery from disasters;**
- (5) authorize and provide for cooperation in disaster mitigation, preparedness, response, and recovery;**
- (6) authorize and provide for coordination of activities relating to disaster mitigation, preparedness, response, and recovery by agencies and officers of this state, and similar state-local, interstate, federal-state, and foreign activities in which the state and its political subdivisions may participate;**
- (7) provide an emergency management system embodying all aspects of predisaster preparedness and postdisaster response;**
- (8) assist in mitigation of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and**
- (9) encourage state agencies, local governments, nongovernmental organizations, private entities, and individuals to adopt the goals of the strategic plan of the Federal Emergency Management Agency for preparing for, responding to, and recovering from a disaster that emphasize cooperation**

**among federal agencies, state agencies, local governments, nongovernmental organizations, private entities, and individuals in each activity or project undertaken to ensure that this state is prepared to effectively respond to and recover from a disaster; and**

**(10) provide the authority and mechanism to respond to an energy emergency.**

**Sec. 418.003. Limitations.**

**This chapter does not:**

**(1) limit the governor's authority to apply for, administer, or expend any grant, gift, or payment in aid of disaster mitigation, preparedness, response, or recovery;**

**(2) interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;**

**(3) interfere with dissemination of news or comment on public affairs, but any communications facility or organization, including radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with a disaster or potential disaster;**

**(4) affect the jurisdiction or responsibilities of police forces, fire-fighting forces, units of the armed forces of the United States, or of any of their personnel when on active duty, but state, local, and interjurisdictional emergency management plans shall place reliance on the forces available for performance of functions related to disasters;**

**(5) except as provided by Section 418.184, authorize the seizure or confiscation of any firearm or ammunition from an individual who is lawfully carrying or possessing the firearm or ammunition; or**

**(6) limit, modify, or abridge the authority of the governor to proclaim martial law or exercise any other powers vested in the governor under the constitution or laws of this state independent of or in conjunction with any provisions of this chapter.**