

# State of Texas Emergency Management Plan

## **Basic Plan**

February 2020



Dear Partners in Emergency Management:

No state is more diverse in its climate, geography, culture, industry and commerce than Texas. As a native Texan, I have a special appreciation for this diversity. As an emergency manager, I also recognize the unique challenges this diversity presents in preparing for and responding to disasters and emergencies.

As a career firefighter and local emergency manager, I believe in and abide by the premise that every disaster is a local disaster. It is at the local level that the greatest challenges are faced and the toughest decisions are made and I am grateful that you have chosen to assume this challenging but rewarding role.

The Texas Division of Emergency Management (TDEM) is charged with carrying out a comprehensive, all-hazards emergency management program for the state and for assisting cities, counties and state agencies in planning and implementing their emergency management programs. As part of that effort, TDEM is responsible for ensuring the appropriate development and distribution of the State of Texas Emergency Management Plan (State Plan) and any changes thereto.

The purpose of the State Plan is to define the organization, establish operational concepts, assign responsibilities and outline coordination procedures for achieving emergency management objectives.

This plan is a living document and resource. We look forward to your comments and suggestions for improvement to this plan and our delivery of service to you, our customer.

Thank you for your service to your community and the state of Texas. Please contact TDEM to let us know how we may be of assistance to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Nim Kidd".

W. Nim Kidd, MPA, CEM  
Chief - Texas Division of Emergency Management  
Vice Chancellor for Disaster and Emergency Services  
Texas A&M University System

## **APPROVAL AND IMPLEMENTATION**

This plan applies to all state agencies, boards, commissions, and departments assigned emergency responsibilities in this plan, and to others as designated by the Texas governor or chief of the Texas Division of Emergency Management as well as local governments in Texas.

This plan is hereby approved for implementation and supersedes all previous editions.

March 20, 2020

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Date



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W. Nim Kidd, MPA, CEM  
Chief - Texas Division of Emergency Management  
Vice Chancellor for Disaster and Emergency Services  
Texas A&M University System

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## **Authority and Guidance**

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This section lists authorities and guidance that govern or inform the development and implementation of the State of Texas Emergency Management Plan (State Plan).

### **State**

- Constitution of the state of Texas
- Respective state agency-, department- and commission-enabling legislation
- Tex. Educ. Code, Ch. 88, §§ 88.112 – 88.116 South Central Interstate Forest Fire Protection Compact
- Tex. Gov. Code
  - Ch. 411 Texas Department of Public Safety
  - Ch. 418 Emergency Management
  - Ch. 421 Homeland Security
  - Ch. 433 State of Emergency
- Ch. 791 Interlocal Cooperation Contracts
- Tex. Health & Safety Code, Title 9, Subtitle B, Ch. 778 Emergency Management Assistance Compact
- Tex. Loc. Gov. Code
  - Title 6, Ch. 616 Emergency Interim Public Office Succession Act
  - Title 12, Ch 391 Regional Planning Commissions
- Tex. Water Code, Title 2
  - Subtitle B, Ch. 13 Water Rates and Services
  - Subtitle C, Ch. 16 Provisions Generally Applicable to Water Development
- Tex. Admin. Code, Title 37, Part 1, Ch. 7, Division of Emergency Management
- Executive orders of the governor
  - GA 05 Relating to Emergency Management of Natural and Human-Caused Events, Emergencies, and Disasters (2018)
  - RP 1 Relating to Emergency Management (2001)
  - RP 8 Relating to the Governor’s Task Force on Homeland Security (2001)
  - RP 16 Relating to the Creation of the Statewide Texas Amber Alert Network (2002)
  - RP 40 Relating to the Designation of the National Incident Management System as the Incident Management System for the State of Texas (2005)
  - RP 48 Relating to the Expeditious Restoration of Electrical Services in Areas Damaged by Hurricane Rita (2005)
  - RP 59 Relating to the Renewal of Disaster Recovery Issues due to the Effects of Hurricanes Katrina and Rita (2006)
  - RP 68 Relating to the Creation of Blue Alert Program (2008)
  - RP 69 Relating to the Creation of the Governor’s Commission for Disaster Recovery and Renewal (2008)
- Texas Homeland Security Strategic Plan 2015-2020

## Federal

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended
- 42 U.S. Code § 5170. (2013, January 29). Procedure for Declaration.
- Post-Katrina Emergency Management Reform Act (PKEMRA), 2006
- National Response Framework, January 2008
- Housing and Economic Recovery Act of 2008
- FEMA REP Manual / NUREG 0654, April 2012
- The National Security Strategy, May 2010
- Emergency Management and Assistance, Code of Federal Regulations, (CFR) 44
- Price-Anderson Amendments Act of 1988, Public Law 100-408, as amended
- Emergency Management Assistance Compact, Public Law 104-321
- National Incident Management System (NIMS), December 2008
- Homeland Security Presidential Directive (HSPD) 3: Homeland Security Advisory System, March 2002
- Homeland Security Presidential Directive (HSPD) 5: Management of Domestic Incidents. February 2003
- Homeland Security Presidential Directive (HSPD) 7: Critical Infrastructure Identification, Prioritization, and Protection, December 2003
- Homeland Security Presidential Directive (HSPD) 8: National Preparedness, March 2011
- Executive Order 13347, Federal Register, Individuals with Disabilities in Emergency Preparedness
- Americans with Disabilities Act (ADA) of 1990
- ADA Guide for Local Governments, U.S. Department of Justice, July 2005
- Guidance on Planning for Integration of Functional Needs Support Services (FNSS) in General Population Shelters, November 2010
- Developing and Maintaining Emergency Operations Plans: Comprehensive Preparedness Guide (CPG) 101: Version 2.0 November 2010
- Sandy Recovery Improvement Act (SRIA) of 2013
- Disaster Relief Appropriations Act of 2013

## Overview

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One of the most important functions of government is to protect its citizens, their property and their way of life. In Texas, elected officials and the governor are responsible for meeting dangers to the state and its people presented by emergencies or disasters. The State of Texas Emergency Management Plan (State Plan) describes how this duty is discharged in response to incidents and events of state significance.

## Purpose

The purpose of the State Plan is to define the organization, establish operational concepts, assign responsibilities and outline coordination procedures for achieving emergency management objectives. The State Plan is the basic planning document for state-level comprehensive emergency management actions. The State Plan responds to [Tex. Gov. Code § 418.042](#), which directs the Texas Division of Emergency Management (TDEM) to “prepare and keep current a comprehensive state emergency plan.”

## Scope

The State Plan is an all-hazards emergency operations plan that applies to incidents and events of state significance throughout the state of Texas. The State Plan describes the high-level responsibilities of state agencies as agreed on by Texas Emergency Management Council (TEMC) agency representatives in response to their mandate, [Tex. Gov. Code § 418.013](#), to “assist the division [TDEM] in identifying, mobilizing, and deploying state resources to respond to major emergencies and disasters throughout the state.”

Because Texas is committed to a whole-community preparedness approach, the State Plan and those involved in emergency preparedness planning strive to meet the needs of all Texans, including people with access and functional needs.

The State Plan is intended to provide guidance and is not prescriptive or comprehensive. Readers should use judgment and discretion to determine the most appropriate actions at the time of an incident.

## Plan Organization

There are four parts to the State Plan:

- Basic Plan
- Emergency Support Function Annexes
- Support Annexes
- Hazard Annexes

The State Plan is designed to integrate with other state agency or entity plans and annexes.



Component	Description
<b>Basic Plan</b>	Describes the state’s emergency management organization and a statewide system of coordination.
<b>Emergency Support Function (ESF) Annexes</b>	Outline the objectives, policies, concepts of operations and responsibilities of state agencies relative to unique functional activities before, during and after disaster incidents that exceed the capacities of local jurisdictions. These annexes may be augmented by other supporting plans.
<b>Support Function Annexes</b>	Describe essential supporting aspects that are common to all incidents and serve as the primary mechanism for providing assistance at the operational level. These annexes may be augmented by other supporting plans.
<b>Hazard-Specific Annexes</b>	Address how Texas responds to specific types of incidents and may be referenced by other annexes. Hazard annexes may be augmented by other supporting plans.

## State and Federal Alignment

The State Plan supports the U.S. Department of Homeland Security’s National Preparedness Goal:

“A secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”

Further, the State Plan complies with Homeland Security Presidential Directive 5 (HSPD-5) “Management of Domestic Incidents,” Presidential Policy Directive 8 (PPD-8) “National Preparedness,” the National Response Framework (NRF), Executive Order RP 40, which mandates the adoption of the National Incident Management System (NIMS) as the “declared state standard for incident management” , and the Federal Emergency Management Agency’s (FEMA) 2018-2020 Strategic Plan which ready’s the nation for catastrophic disasters by building a culture of preparedness. The State Plan provides an all-hazards emergency planning framework that informs Texas local and regional emergency operations plans.

## Situation

### Population

Texas is the second most populous state in the country, with an estimated population over 29 million in 2019. It currently ranks first in overall projected numeric population growth and is expected to reach a population of 30 million by 2020. Seven of the 50 most populous U.S. cities are located in Texas; in descending order, they are Houston, San Antonio, Dallas, Austin, Fort Worth, El Paso, and Arlington (U.S. Department of Commerce).

### Geography

Texas is the second largest state in the nation based on geography, occupying

about seven percent of the total water and land area of the U.S. Texas is comprised of 268,596 square miles of surface area, which includes 254 counties and over 1,216 incorporated cities. Because Texas is such a large state, it has a highly varied topography. The state has 10 climatic regions and 11 different ecological regions. The topography types vary from mountainous to forested hill country to coastal plains, and prairies in the interior. Texas has 3,700 streams and 15 major rivers. Texas has 367 miles of coastline along the Gulf of Mexico and shares a 1,200-mile border with Mexico (Texas State Historical Association).

## **Hazard Analysis**

State planners identified 22 hazards of significant risk in Texas based on an assessment of past federally declared Texas disasters, historical and potential events and a review of local mitigation action plans. These hazards are described in the [State of Texas Hazard Mitigation Plan](#) and the State Threat and Hazards Identification and Risk Assessment (THIRA).

### **Natural Hazards**

- Hurricane, Tropical Storms and Depressions
- Drought
- Hailstorms
- Flooding (Coastal and Riverine)
- Wildfire
- Pandemic
- Severe Winds
- Winter Weather
- Extreme Cold
- Extreme Heat

### **Technological Hazards**

- Dam Failure
- Chemical Hazmat Release
- Radiological Incidents

### **Human Caused Hazards**

- Improvised Nuclear Attack
- Cross-border Violence
- Explosive Devices
- Active Shooter
- Animal Diseases
- Cyber Attack
- Biological Attack
- Terrorism

## **Planning Assumptions**

In Texas, planning assumptions are considered information accepted by planners as being true, in the absence of facts, in order to provide a planning framework. State planners have made the following assumptions in preparing the Basic Plan:

- Achieving and maintaining effective individual and community preparedness is the primary mitigating factor against disasters and can reduce the immediate stress on the public and response organizations.
- Disaster planning at the regional and state levels is based on the pre-incident identification of at-risk populations and facilities and the determination of resource shortfalls and contingencies.
- Assistance from state agencies is available as long as the agencies' fiscal and internal operational resource needs are met.
- When state property is affected, the responsible state agency will utilize its own resources in coordination with local authorities and establish communications with the State Operations Center (SOC).
- The state and federal emergency support functions (if activated) will work together to coordinate state and federal resources.
- Depending on the magnitude of the incident, resources from other states or the federal government may not be available for use in Texas for as long as 72 hours after the incident occurs.
- The state intends to ensure that individuals who have access and functional needs receive lawful and equal assistance before, during and after a disaster.
- Planning efforts do not assume that federal assistance is available.
- Government resources alone cannot meet all the needs of those affected by major disasters.

## **Concept of Operations**

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Emergency management activities in the state of Texas vary significantly in type, size and complexity. This section outlines the general concept of operations for the state's planned response in support of the basic emergency response and initial recovery operations. The organization and responsibilities of the stakeholders described in this section are found in the [Organization and Assignment of Responsibilities](#) section of this plan.

### **Objectives**

The overall objectives of the State Plan are to:

- Protect all people within the state of Texas against the greatest threats and hazards in a manner that allows vital interests and normal activities to thrive.
- Reduce the loss of life and property by lessening the impact of disasters.
- Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of an incident.
- Assist communities recovering from an incident with continued stabilization of vital life support systems and community restoration.

These objectives apply to all hazards and may be used to assist with any type of disaster that requires state-level emergency management response support.

### **Emergency Management Coordination**

The following are basic concepts, sequences and procedures that drive preparedness and response in Texas. Note that the state and its jurisdictions rely on the National Incident Management System (NIMS) for planning, training, exercising for, and responding to emergencies and disasters.

In Texas, the initial response to emergencies and disasters is conducted by local jurisdictions working with city or county emergency management officials. A local government is expected to use its own resources and the resources available to it through mutual aid agreements before requesting assistance from the state. However, early communication and coordination is encouraged when additional resource needs can be anticipated.

If a jurisdiction's response resources are overwhelmed, imminently threatened or a local jurisdiction is anticipating a resource need, the jurisdiction may request aid from its Disaster District Emergency Operations Center (DDEOC) ([Tex. Adm. Code § 7.24](#)). The DDEOC serves as a clearinghouse for local emergency response support from state agencies and entities. The DDEOC, when it is activated, is also the liaison between the local jurisdictions, Regional Emergency Operations Center (REOC) coordinates and supports operations among the impacted DDEOCs in the affected area and the State Operations Center (SOC).

The SOC serves as a coordination and communications hub, allowing personnel to gather, evaluate and distribute critical information and resources and to respond to emergencies and disasters. Depending on the severity of the emergency or

disaster, the readiness level of the SOC will range from a level IV Normal Conditions to level I Emergency Conditions, which requires the activation of additional components of the SOC and personnel to support operations. Appendix A outlines readiness guidelines for the SOC. Appendix B provides an example SOC organizational chart depicting the Texas incident command structure.

The state emergency management coordination system includes a number of key state decision-makers, which constitutes the Texas Emergency Management Council (TEMC). TEMC representatives are outlined in [Executive Order GA 05](#). State law establishes, and executive order mandates the TEMC to advise and assist the governor in all matters relating to disaster mitigation, emergency preparedness, disaster response and recovery ([Tex. Gov. Code § 418.013](#)).

TEMC representatives have the authority to commit state or local resources necessary to meet prioritized needs and to request additional resources from other sources through the SOC. They also have the authority to issue mission assignments that involve the commitment of state or local personnel, material resources and funds to meet incident or disaster needs ([Tex. Gov. Code § 418.013](#)).

If the scope of the incident has expanded beyond the resource capabilities of the state, the SOC may seek intrastate mutual aid, assistance from voluntary and private sector organizations and/or federal aid as needed. In most cases, in order for the federal government to provide assistance, a federal disaster declaration is required. Federal assistance is not intended to fully compensate a community for losses but to supplement available resources and prevent conditions from which the community could not reasonably recover.

Concepts of operations, state objectives and the responsibilities of state agencies relative to unique functional, support, or hazard specific activities are addressed in annexes to the State Plan. Appendix C identifies the objectives of each emergency support function (ESF) annex. Appendix D identifies the TEMC entities that play a lead or supporting role in response according to ESF.

# Organization and Assignment of Responsibilities

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This section describes the organization and responsibilities of stakeholders with key capabilities during emergency management preparedness, response and initial recovery.

## Governor

Under [Tex. Gov. Code Ch. 418](#), the governor is granted broad powers to control disasters. The governor may issue executive orders, proclamations, regulations, and this plan and amend or rescind them. Executive orders, proclamations and regulations have the force and effect of law.

Pursuant to [Tex. Gov. Code §418.173](#), failure to comply with this plan or with a rule, order, or ordinance adopted under the plan, including any executive order, proclamation, or regulation issued by the governor during a state of disaster, is an offense punishable by a fine not to exceed \$1,000.

The governor also has additional authority to issue directives calculated to protect life and property and to control and terminate an emergency in instances when a state of emergency is proclaimed under provisions of [Tex. Gov. Code Ch. 433](#).

## Texas Emergency Management Council

The Texas Emergency Management Council (TEMC) is composed of 36 state agencies and university systems as well as 3 non-governmental agencies, the American Red Cross and the Salvation Army, and Texas Voluntary Organizations Active in Disasters (Texas VOAD). The TEMC was established to advise and assist the governor in all matters relating to disaster mitigation, preparedness, response and recovery. Appendix D identifies TEMC entities according to their emergency support function (ESF) responsibilities as specified in each annex to this plan.

## Texas Division of Emergency Management Chief

Under [Tex. Gov. Code Ch. 418](#), the Texas Division of Emergency Management (TDEM) chief is responsible for the day-to-day management and coordination of statewide emergency management activities, for operating the SOC and for executing coordination and control of statewide resources during emergency response and recovery operations.

During response operations, the TDEM chief establishes objectives and authorizes mission assignments to state agencies, requests commitment of federal assets and interstate mutual aid emergency response forces, and assigns operational control as required.

## Texas Emergency Management Council Chair

According to [Executive Order GA 05](#), the TDEM Chief also serves as the chair of the TEMC and after consultation with the council and other relevant state agencies, shall advise the governor, lieutenant governor and the speaker of the House of

Representatives on critical matters relating to emergency management for natural and human caused events, emergencies and disasters that may occur in the state.

## **Texas Division of Emergency Management**

TDEM coordinates and manages the state's emergency management program, which is intended to ensure the state and its local governments mitigate, prepare for, respond to and recover from emergencies and disasters. TDEM is responsible for the day-to-day management and coordination of statewide emergency management activities, operating the state operations center (SOC) and coordinating of statewide resources during disaster response and recovery operations.

**TDEM Regional Response** Assistant Chiefs (ACs) and District Coordinators (DCs) are TDEM employees who serve as local emergency management liaisons. They also have operational authority to assigned state disaster regions, disaster districts and Regional Emergency Operations Centers (REOCs). ACs and DCs work directly with local government officials, volunteer groups and private sector partners. DCs also assist the Disaster District Emergency Management Council- Representatives (DDEMC-R) in maintaining DDEOC operations.

## **State Agencies**

If local resources and mutual aid are insufficient to respond to and manage the incident, local jurisdictions may request state assistance.

## **Disaster District Emergency Management Council Representatives**

A Disaster District Emergency Management Council Representative (DDEMC-R) consists of representatives of state agencies, boards, commissions and organized volunteer groups with membership in the TEMC. TEMC members are responsible for designating a representative to the Disaster District Emergency Operations Center (DDEOC) and provide call list information to the Disaster District Chair. The Disaster District Chair in coordination with the District Coordinator ensures that representatives assigned to the DDEOC are trained, knowledgeable of their current inventory of resources and have a list of key agency contacts. DDEOC operates in accordance with the State Plan and any appropriate tactical documents to assist the DDC chair with guidance, counsel and administrative support as required.

## **Disaster District Chair**

The Disaster District Chair (DDC) is the commanding officer of the Texas Highway Patrol district or sub-district in which the jurisdiction is located. They are assisted by TEMC representatives assigned to that district. The DDC determines if an incident warrants an increase in the readiness level of the DDEOC, staffing requirements are appropriate to the situation for increased DDEOC readiness levels and notifies appropriate DDEMC-R and staff to report to the DDEOC. The chair operates in accordance with the State Plan and any appropriate tactical documents that provide direction and control for state resources within their district, responding to disaster situations and managing external resources deployed into the district. The DDC in coordination with the TDEM district coordinator may coordinate with the Regional Emergency Operations Center (REOC) to maintain situational awareness and support resource management across the region.



## **Office of the Governor Homeland Security Grants Division**

The Homeland Security Grants Division (HSGD) is guided by the Texas Homeland Security Strategic Plan. The HSGD oversees investments in homeland security planning, organization, training and exercises. Grant funding provides assessments to identify gaps documented in the annual Threat and Hazard Identification and Risk Assessment (THIRA).

## **Local Jurisdictions**

In responding to emergencies and disasters, initial response is conducted by local jurisdictions working with city or county emergency management officials.

### **Emergency Management Directors and Coordinators**

In Texas, mayors and county judges serve as emergency management directors and bear the responsibility for maintaining an emergency management program within their jurisdictions ([Tex. Gov. Code § 418.1015](#)). A mayor or county judge may appoint an emergency management coordinator (EMC) to help discharge these duties.

The mayor or county judge may declare a local disaster, when there is an immediate threat, without the consent of either the city council or county commissioners, respectively. However, the declaration may last no longer than seven days unless continued by the city council or county commissioners.

## **Voluntary, Private Sector, and Quasi-governmental Organizations**

Following is a description of various quasi-governmental, volunteer and private organizations that play a vital role in Texas emergency management.

### **Councils of Governments**

Regional Councils of Governments (COGs) are voluntary associations of local governments formed under Texas law ([Tex. Gov. Code Ch. 391](#)). COGs guide the unified development of a region, eliminate duplication and improve economy and efficiency within regions. Specific to emergency management, COGs deal with preparedness planning needs that cross the boundaries of individual local governments or that require regional attention. Regional services offered by COGs may include the following:

- Planning and implementing regional homeland security strategies.
- Promoting regional municipal solid waste and environmental quality planning.
- Promoting regional economic development.

### **Regional Advisory Councils**

Regional Advisory Councils (RAC) serve to develop, implement and monitor regional emergency medical services (EMS) trauma system and to facilitate trauma system networking within and among Trauma Service Areas (TSA). Membership in a RAC may include hospitals, physicians, nurses, EMS providers, rehabilitation facilities, dispatchers and community groups. RACs primary functions are to:



- Develop and implement a regional EMS/trauma system plan.
- Provide public information and education about prevention of trauma and a trauma system.
- Provide a forum for EMS providers and hospitals to address TSA issues.
- Network with other RACs.
- Document and report trauma system data.

## Texas Citizens Corps

Texas Citizens Corps is an association of the following five independent but related organizations that focus on readiness and response among Texas' communities:

- **Community Emergency Response Teams (CERT):** Educates citizens in disaster readiness and prepares them to assist their communities in the aftermath of a disaster.
- **Fire Corps:** Assists resource-constrained fire departments with safety outreach, youth programs and administrative support.
- **National Neighborhood Watch Program:** Works to unite law enforcement agencies, private organizations and individual citizens to help make communities safer.
- **Volunteers in Police Service (VIPS):** Helps local law enforcement to use volunteers more effectively.
- **Medical Reserve Corps (MRC):** Works in coordination with existing local emergency response programs and supplements existing community public health initiatives.

## Voluntary Organizations Active in Disasters

Voluntary Organizations Active in Disasters (VOADs) make up an important piece of Texas' emergency response plan. These organizations have the personnel and expertise to augment the state's capabilities or provide capabilities that the state does not have. Three VOADs are specifically named to the TEMC ([Executive Order GA 05](#)): the Salvation Army, American Red Cross, and Texas Voluntary Organizations Active in Disasters (Texas VOAD) which provide emergency feeding facilities and shelter management, respectively. Beyond these, many national and local organizations provide a broad range of services to municipalities or directly to citizens.

## Business and Industry Partnerships

Business and industry partners play a key role before, during and after disasters. Texas businesses are involved in emergencies because large portions of Texas' infrastructure are privately owned. In addition, large amounts of the hazardous materials moved within or through Texas, are handled by private industry. Business and industry partners must observe standards for the protection of critical infrastructure and develop individual continuity of operations plans. During disasters, many businesses may also work with the state and with VOADs to provide resources during incident response and recovery.

## **Federal Emergency Management Agency**

The Federal Emergency Management Agency (FEMA) supports emergency management throughout the nation and in Texas by providing tools, resources and guidance to support Texas' emergency management coordination. When a disaster occurs that exceeds, or is anticipated to exceed, the state's resource capabilities, the federal government implements the National Response Framework (NRF) to access federal departments and agency capabilities, organize the federal response and ensure coordination with all response partners, FEMA Region VI and TDEM.

## **Communication and Information**

To ensure effective communication and intelligence flow, emergency response agencies at all levels must establish communications systems and protocols to organize, integrate and coordinate intelligence among the affected agencies.

### **Communication**

Each federal, state and local jurisdiction or agency is responsible for developing its own methods of communications. This includes policies for the provision of alerts and warnings, as well as providing information to the media and public.

In Texas, state-level communications support is provided through coordination among multiple entities and the use of a wide range of resources. For more information, see the Texas Communications Annex (ESF 2).

### **Public Information**

Public information activities are coordinated through a Virtual Joint Information System (VJIS). The VJIS provides the mechanism for integrating public information activities among public information representatives, across jurisdictions, and with private-sector and non-governmental organizations. For more information, see the Texas Public Information Annex (ESF 15).

### **Alert and Warning**

Texas has a state warning system composed of three types of facilities to conduct warning operations: State Warning Point (SWP), Area Warning Centers (AWC), and Local Warning Points (LWP). In addition to these, FEMA operates the Integrated Public Alert and Warning System (IPAWS). The SWP is located in the State Operations Center in Austin. The facility is operated 24-hours a day by Texas Division of Emergency Management personnel and is equipped with a variety of primary, alternate and redundant telecommunications system. The facility receives warning information and incident reports from a variety of sources to include federal, state agencies and local entities, as well as commercial transportation, utility, and petrochemical companies. For more information, see the Texas Warning Support Annex.

## **Administration, Finance and Logistics**

This section describes general requirements for and the availability of services and support during emergency management preparedness, response and initial recovery in Texas.

### **Disaster Assistance Requests**

The governor is granted the authority, by [Tex. Gov. Code Ch. 418](#), to declare a state-level disaster. The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer's political subdivision and serves as the governor's designated agent in the administration and supervision of duties under Chapter 418 ([Tex. Gov. Code § 418.1015](#)). A local emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale and may declare a local state of disaster.

### **Local Disaster Declaration**

The chief elected official of a jurisdiction may declare a local state of disaster for the following reasons:

- To exercise extraordinary powers.
- To activate preparedness, response and recovery aspects of any and all applicable local emergency management plans.
- To provide additional liability protection to government agencies and special or volunteer emergency workers.
- To formally request general assistance from the state and federal governments.

According to [Tex. Gov. Code Ch. 418](#), a declaration of local disaster may not be continued or renewed for a period of more than seven days except with the consent of the governing body of the political subdivision.

### **Proclamation of a State of Emergency**

In Texas, as mandated by [Tex. Gov. Code Ch. 433](#), the governor may proclaim a state of emergency and designate the area involved. The request for a gubernatorial declared state of emergency must come from the chief executive officer of the governing body of a county or municipality. Unlike a federal disaster declaration, a state of emergency declaration is only used in the following situations:

- A riot or unlawful assembly by three or more persons acting together by use of force or violence.
- Clear and present danger of the use of violence exists.
- Natural or manmade disaster.

While a natural or manmade disaster is one of these codified situations, the intent of an emergency declaration is to recognize the governor's power to exercise the police power of the state to provide adequate control over persons and conditions

during periods of impending or actual public crisis or disaster. For most natural or manmade disasters, a disaster declaration is generally more appropriate.

An emergency directive expires 72 hours after the time of proclamation of the state of emergency for which it was issued. The governor, by proclamation, may terminate or set a shorter period for a directive. The governor may also proclaim successive states of emergency in 72-hour periods, as necessary to protect health, life and property in affected areas.

### **Disaster Summary Outline**

As soon as possible, all local jurisdictions should begin gathering initial damage estimates. These figures need not be exact initially, but are necessary to complete the Disaster Summary Outline (DSO) as a basis for obtaining a Presidential Disaster Declaration. Event-specific DSO pin numbers are provided through District Coordinators or the State Operations Center (SOC). DSOs should be re-submitted as costs change or are better estimated.

### **Preliminary Damage Assessment**

FEMA coordinates with the state to conduct a Preliminary Damage Assessment (PDA) and determine if the incident is of sufficient severity to require federal assistance under the Stafford Act. FEMA uses the results of the PDA to determine if the situation is beyond the combined capabilities of the state and local resources and to verify the need for supplemental federal assistance. The PDA also identifies unmet needs that may require attention.

### **Federal Declaration without a Preliminary Damage Assessment**

The requirement for a joint PDA may be waived for those incidents of unusual severity and magnitude that do not require field damage assessments to determine the need for supplemental federal assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) or in such other instances determined by the FEMA Regional Administrator upon consultation with the state. It may be necessary, however, to conduct an assessment to determine unmet needs for managerial response purposes ([44 CFR 206.33](#)).

### **Pre-Disaster Emergency Declarations**

A governor may request an emergency declaration in anticipation of the imminent impact of an incident that threatens such destruction as could result in a major disaster. Such requests must meet all of the statutory and regulatory requirements for an emergency declaration request. Requests must demonstrate the existence of critical emergency protective-measure needs, prior to impact, that are beyond the capability of the state and affected local governments.

### **State Request for a Presidential Declaration**

When it is clear that state capabilities will be exceeded, the governor can request federal assistance, including assistance under the Stafford Act ([42 USC § 5170](#)). The Stafford Act authorizes the president to provide financial and other assistance to state and local governments, certain private nonprofit organizations, and individuals to support response, recovery, and mitigation efforts following a presidentially declared emergency or major disaster.

## **Federal Analysis of State Request**

The FEMA administrator assesses the situation and the request and makes a recommendation to the president through the Department of Homeland Security on a course of action. The decision to approve the request is based on factors such as the amount and type of damage, the potential needs of the affected jurisdiction, the availability of state and local government resources, the extent and type of insurance in effect, recent disaster history and the state's hazard mitigation history.

## **Declaration of Emergency or Major Disaster**

The president can declare an emergency or major disaster under the Stafford Act, thereby providing federal government resources to support the state's response and recovery activities. While presidential declarations under the Stafford Act release federal resources and funding to support response and recovery, federal agencies may also provide assistance under other authorities or agreements that do not require a presidential declaration.

## **Expenditures and Record Keeping**

Each state agency is responsible for establishing administrative controls necessary to manage the expenditure of funds during an incident. Agencies also provide reasonable accountability and justification for federal reimbursement in accordance with established guidelines. The first recourse of expenditures by state agencies in response to an emergency, imminent disaster or recovery from a disaster, should be from funds regularly appropriated by the Texas Legislature.

In accordance with established procedures, state agencies may seek financial assistance to cover extraordinary expenses for disaster operations costs from the disaster contingency fund. Under the provisions of the interstate Emergency Management Assistance Compact (EMAC), Texas is responsible for the reimbursement of expenses incurred by responding states during the delivery of mutual aid or for out-of-state sheltering or repatriation of Texas residents.

At the end of an incident, all reports should be protected and retained for audit purposes. For more information, see the Texas Emergency Management Annex (ESF-5).

## **Mutual Aid**

The Texas Statewide Mutual Aid System was established to provide integrated statewide mutual aid response capabilities between local government entities that did not have written mutual aid agreements.

Texas is a member of EMAC, a congressionally ratified organization that provides procedures for rendering emergency assistance between states. After a state of emergency declaration, Texas can request and receive reimbursable assistance through EMAC from other member states. For more information, see the Texas Emergency Management Annex (ESF-5).

## **Resource Requests**

State of Texas Assistance Requests (STARs) connect first responders in affected areas to personnel working in the SOC. During SOC activations, requests from local jurisdictions are identified, routed, authorized and fulfilled via the Web-Based Emergency Operations Center's (WebEOC) STAR process. For more information, see the Texas Emergency Management Annex (ESF-5).

## **Continuity of Government**

Emergencies and disasters may impede the ability of the state and local government to provide for the safety and well-being of the people of Texas. Continuity of government consists of a variety of comprehensive activities designed to ensure the preservation of our representative form of government and the continued ability of state and local governments to provide protection and essential services to the public. Appendix E, Continuity of Government, identifies coordination and control actions that ensure state government can continue to operate effectively, regardless of the incident or the actions necessary to restore the state government to its pre-disaster condition.

## Plan Administration

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This section describes the process by which this document is maintained and updated.

### Development

[Tex. Gov. Code Ch. 418](#) defines the Texas Division of Emergency Management (TDEM) as the responsible agent for disaster planning and coordination in the state of Texas. TDEM is responsible for ensuring the appropriate development and distribution of this document and any changes thereto. In addition, each Texas Emergency Management Council (TEMC) agency is responsible for the development and maintenance of appropriate planning documents to address responsibilities assigned to them in this plan, including standard operating guidelines.

TDEM develops planning goals and objectives using information from federal guidance, the Texas Hazard Identification Risk Assessment (THIRA) and analytical research. TDEM planners engage interagency stakeholders to understand how a hazard or threat would evolve in the state and what defines a successful outcome for incidents that exceed the capacities of local jurisdictions.

It is a fundamental responsibility of all individuals with a statutory obligation for disaster planning and coordination to consider the needs of the whole community, including children, individuals with disabilities and others with access and functional needs.

### Relationship to Other Plans

The State of Texas Emergency Management Plan (State Plan) aligns vertically with federal and local emergency operations plans. The plan describes emergency management coordination between state, local and the federal government during a disaster. It outlines how the state will support requests for assistance from local jurisdictions. The State Plan was developed in coordination with multiple state agencies involved in emergency management. The State Plan aligns horizontally with those state agencies' emergency management plans and incorporates their plans into the State Plan by reference in its functional and hazard annexes.

### Maintenance

The TDEM Chief/TEMC chair authorizes and issues changes to this document until it is superseded. This document and all attachments are living documents. TEMC member representatives are responsible for participating in plan reviews and are required to provide information concerning capability changes that affect their emergency management responsibilities.

TDEM coordinates the plan updating process and it maintains the plan after receiving feedback and updates from partner agencies. According to [Tex. Gov. Code § 418.188](#), state agencies, political subdivisions and inter-jurisdictional agencies are required to conduct an evaluation of their response to a disaster, identify areas of improvement and provide a report of their evaluation to TDEM no later than 90



days after TDEM requests it. Information from this report may be used in revisions to the State Plan.

## **Training, Exercise and After-Action Reports**

The State Plan is exercised annually to provide practical, controlled and operational experience to those who have responsibilities for emergency management and response. This requirement is applicable to the State Operations Center (SOC) and each Disaster District Emergency Operations Center (DDEOC). Following the conclusion of any significant disaster, incident or exercise, the lead agency's representatives will conduct an after-action review of, and prepare an after-action report/improvement plan (AAR/IP) on, the group's activities during the disaster, incident or exercise. Support agencies provide written or oral input and the lead agency representative consolidates all inputs into a finalized written AAR/IP and submits the report to the TDEM Exercise Unit.

## **Record of Changes**

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The TDEM chief/TEMC chair authorizes and issues changes to this document until such time as it is superseded. This document and all attachments are living documents. Texas Emergency Management Council member representatives are responsible for participating in plan reviews and are required to provide information concerning capability changes that impact their emergency management responsibilities. TDEM coordinates the plan updating process and maintains the plan after receiving feedback from partner agencies.

Lead and support agencies must ensure all records necessary for emergency management operations are available and that duplicate records are held at alternate locations.

Use this table to record the following information:

- Change number, in sequence, beginning with 1
- Date change was made to the document
- Description of change and rationale if applicable
- Initials of person who made the change

<b>Number</b>	<b>Date</b>	<b>Description</b>	<b>Initials</b>

## References

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The following references pertain to the Basic Plan. Other, annex-specific references are included at the end of each annex.

Texas State Historical Association. (2018). *Texas Almanac*. (E. Alvarez, Ed.) Dallas: Texas State Historical Commission.

U.S. Department of Commerce. (2017). *QuickFacts Texas*. Retrieved 03 27, 2018, from United States Census Bureau:  
<https://www.census.gov/quickfacts/fact/dashboard/TX/PST045216>

# Appendix A: State Operations Center (SOC) Readiness Levels

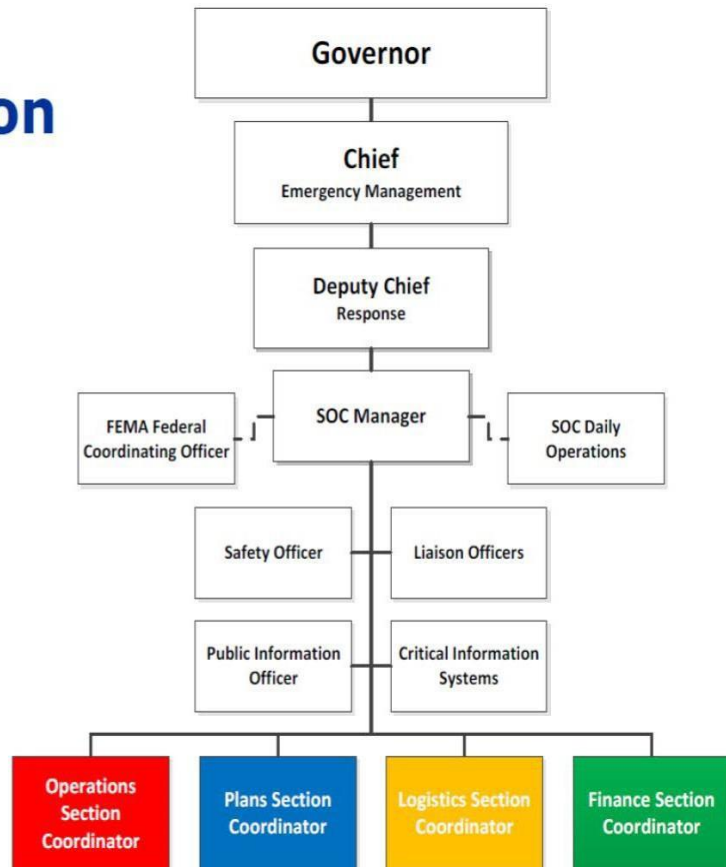
The State Operations Center (SOC) is always operational (24/7). SOC readiness levels, outlined below, apply depending on the level of perceived threat and/or incident severity. The SOC may fulfill State of Texas Assistance Requests (STARs) and publish Situation Reports (SITREPs) at all activation levels.

Readiness Level	SOC Actions Taken
<p><b>IV:</b> <b>Normal Conditions</b></p>	<ul style="list-style-type: none"> <li>▪ No significant emergency or disaster is present.</li> <li>▪ Daily Operations runs the SOC, maintaining equipment and facilities.</li> <li>▪ Preparedness activities may be conducted.</li> <li>▪ Warning and communication systems are tested.</li> <li>▪ Natural, technological and homeland security threats are monitored.</li> <li>▪ Local responders resolve routine emergency incidents.</li> </ul>
<p><b>III:</b> <b>Increased Readiness Conditions</b></p>	<ul style="list-style-type: none"> <li>▪ A significant emergency has not yet occurred, but readiness is raised due to increased vulnerability to a specific hazard or an emergency has occurred, but the readiness level only escalates to level III.</li> <li>▪ Daily Operations notifies the SOC manager.</li> <li>▪ Key staff and personnel are alerted. Staffing may increase at emergency facilities to provide additional situation monitoring.</li> <li>▪ Equipment is checked for availability.</li> <li>▪ Contingency plans are evaluated and updated as needed.</li> <li>▪ Advisory notices are sent to the Texas Emergency Management Council (TEMC), and appropriate officials are briefed on anticipated risk situations and potential impacts.</li> <li>▪ Emergency public information activities commence.</li> <li>▪ Local responders resolve routine emergency incidents.</li> <li>▪ The SOC begins to staff with representatives from appropriate agencies and organizations.</li> </ul>
<p><b>II:</b> <b>Escalated Response Conditions</b></p>	<ul style="list-style-type: none"> <li>▪ The emergency has expanded beyond the capabilities of local responders.</li> <li>▪ Normal state and local government operations may be impaired.</li> <li>▪ Emergency facilities increase staffing, expand hours of operation and intensify coordination.</li> <li>▪ Response elements may be activated and deployed.</li> <li>▪ Mutual aid resources may be requested.</li> <li>▪ Government officials and agency representatives are briefed on the current situation and anticipated impacts.</li> <li>▪ Emergency public information activities are expanded.</li> </ul>
<p><b>I:</b> <b>Emergency Conditions</b></p>	<ul style="list-style-type: none"> <li>▪ The scope of the incident has expanded beyond the response capability of local agencies.</li> <li>▪ As local jurisdictions request resources, the SOC coordinates assistance and may seek intrastate mutual aid and/or federal aid as needed.</li> </ul>

# Appendix B: State Operations Center (SOC) Organizational Chart

The State Operations Center (SOC) organizational chart below shows the Texas incident command structure, which follows the National Incident Management System (NIMS) and supports the Incident Command System (ICS). The structure is modular, extending and expanding as needed to incorporate all elements necessary for the type, size, scope and complexity of the incident.

## SOC Organization



# Appendix C: Texas Emergency Support Function Annexes

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The following table identifies the objectives of each emergency support function annex, which outlines unique functional activities before, during and after disaster incidents that exceed the capacities of local jurisdictions.

ESF	Title	Objectives
<b>ESF-1</b>	Transportation	<ul style="list-style-type: none"> <li>▪ Coordinate state transportation infrastructure support.</li> <li>▪ Support highway emergency operations.</li> <li>▪ Support railway emergency operations.</li> <li>▪ Support emergency operations for aviation.</li> <li>▪ Support maritime emergency operations.</li> <li>▪ Support pipeline emergency operations.</li> </ul>
<b>ESF-2</b>	Communications	<ul style="list-style-type: none"> <li>▪ Coordinate communications operations.</li> <li>▪ Support communications interoperability.</li> <li>▪ Support priority service and priority restoration coordination.</li> </ul>
<b>ESF-3</b>	Public Works and Engineering	<ul style="list-style-type: none"> <li>▪ Coordinate public works disaster information through assessments, reporting, coordination and technical assistance.</li> <li>▪ Provide sustainment and repair of public and private infrastructure, public facilities, and public works projects.</li> <li>▪ Provide assistance and management on regulatory and contracting affairs.</li> </ul>
<b>ESF-4</b>	Firefighting	<ul style="list-style-type: none"> <li>▪ Coordinate firefighting operations.</li> <li>▪ Process firefighting assistance requests.</li> <li>▪ Provide resources to fires of state significance.</li> </ul>
<b>ESF-5</b>	Emergency Management	<ul style="list-style-type: none"> <li>▪ Develop plans, procedures, and agreements to support incident response.</li> <li>▪ Organize and maintain the state emergency management system.</li> <li>▪ Develop, maintain and disseminate situational awareness.</li> <li>▪ Coordinate resource requests for assistance.</li> <li>▪ Record and document financial expenditures.</li> </ul>

<b>ESF</b>	<b>Title</b>	<b>Objectives</b>
<b>ESF-6</b>	Mass Care	<ul style="list-style-type: none"> <li>▪ Coordinate mass care operations.</li> <li>▪ Provide support to local sheltering operations.</li> <li>▪ Provide support to local medical shelter operations.</li> <li>▪ Provide support to local animal care operations.</li> <li>▪ Provide support to local feeding operations.</li> <li>▪ Provide support to Texas host state shelter operations.</li> </ul>
<b>ESF-7</b>	Logistics and Resource Management	<ul style="list-style-type: none"> <li>▪ Coordinate logistics management and resource support.</li> <li>▪ Obtain resources to support emergency operations.</li> <li>▪ Transport emergency operations resources.</li> <li>▪ Establish and maintain logistics sites.</li> <li>▪ Track emergency operations resources.</li> <li>▪ Support commodity distribution.</li> <li>▪ Deactivate and demobilize resources.</li> <li>▪ Support volunteer and donations management.</li> </ul>
<b>ESF-8</b>	Public Health and Medical Services	<ul style="list-style-type: none"> <li>▪ Coordinate public health and medical operations.</li> <li>▪ Execute effective public health response.</li> <li>▪ Support provision of medical services.</li> <li>▪ Coordinate mass fatality resource management.</li> <li>▪ Coordinate behavioral health services and activities.</li> <li>▪ Support decontamination services.</li> </ul>
<b>ESF-9</b>	Search and Rescue	<ul style="list-style-type: none"> <li>▪ Coordinate state search and rescue operations.</li> <li>▪ Provide support for state search and rescue situational awareness.</li> <li>▪ Provide support for state search and rescue operations.</li> </ul>
<b>ESF-10</b>	Oil and Hazardous Materials	<ul style="list-style-type: none"> <li>▪ Organize actions to prevent, minimize, or mitigate an oil or hazardous materials release.</li> <li>▪ Coordinate response assets for detection and stabilization of oil or hazardous materials releases to prevent the spread of contamination.</li> <li>▪ Assess contamination resulting from an oil or hazardous materials release.</li> </ul>

ESF	Title	Objectives
		<ul style="list-style-type: none"> <li>▪ Coordinate resources for environmental cleanup and waste disposition.</li> </ul>
<b>ESF-11</b>	Agriculture and Natural Resources	<ul style="list-style-type: none"> <li>▪ Coordinate response efforts to animal and plant diseases and pest outbreaks.</li> <li>▪ Provide technical expertise in support of animal and agriculture emergency management.</li> <li>▪ Ensure the safety and security of the food and feed supply.</li> <li>▪ Provide nutritional assistance.</li> <li>▪ Support response efforts to protect natural, cultural and historical resources.</li> </ul>
<b>ESF-12</b>	Energy	<ul style="list-style-type: none"> <li>▪ Coordinate energy operations.</li> <li>▪ Monitor energy-centric critical infrastructure and respond to disruptions.</li> <li>▪ Restore and sustain essential services to maintain community functionality.</li> </ul>
<b>ESF-13</b>	Public Safety and Security	<ul style="list-style-type: none"> <li>▪ Provide continuing law enforcement including support to local authorities.</li> <li>▪ Coordinate the provision of public safety and security.</li> <li>▪ Coordinate public safety and security operations.</li> </ul>
<b>ESF-14</b>	Long-Term Recovery	<ul style="list-style-type: none"> <li>▪ ESF 14 has been superseded by the National Disaster Recovery Framework.</li> </ul>
<b>ESF-15</b>	Public Information	<ul style="list-style-type: none"> <li>▪ Support the state’s coordinated response in disseminating information about an emergency or disaster situation.</li> <li>▪ Ensure that leadership remains informed about public information issues and media trends.</li> <li>▪ Establish the Virtual Joint Information Center (JIC).</li> </ul>



# Appendix D: Texas Emergency Support Function Crosswalk

The following table aligns Texas Emergency Management Council (TEMC) entities with their emergency support function (ESF) responsibilities in each annex.

TEMC Entity	ESF													
	Transportation (ESF 1)	Communications (ESF 2)	Public Works and Engineering (ESF 3)	Firefighting (ESF 4)	Emergency Management (ESF 5)	Mass Care (ESF 6)	Logistics and Resource Mgmt. (ESF 7)	Public Health and Medical Services (ESF 8)	Search and Rescue (ESF 9)	Oil and Hazardous Mtlis. Response (ESF 10)	Agriculture and Natural Resources (ESF 11)	Energy (ESF 12)	Public Safety and Security (ESF 13)	Public Information (ESF 15)
American Red Cross				S	S	S		S						S
Public Utility Commission of Texas	S	S			S							P		S
Railroad Commission of Texas*	S				S					S		S		S
State Comptroller of Public Accounts					S									
Texas A&M AgriLife Extension Service*				S			S	S			S			
Texas A&M Engineering Extension Service*		S		S	S			S	P	S				
Texas A&M Forest Service*		S	S	P	S	S	S	S	S				S	S
Texas Animal Health Commission*				S	S	S	S	S	S		P			S
Texas Commission on Environmental Quality*	S	S	S	S	S			S		P				S
Texas Commission on Fire Protection				S	S				S	S				S
Texas Department of Agriculture*					S	S	S				S			
Texas Department of Criminal Justice		S	S	S	S	S	S	S	S				S	
Texas Department of Family and Protective Services					S	S		S						
Texas Department of Housing and Community Affairs					S									
Texas Department of Information Resources		S			S			S						S
Texas Department of Insurance				S	S					S			S	S

<b>TEMC Entity</b>	<b>Transportation (ESF 1)</b>	<b>Communications (ESF 2)</b>	<b>Public Works and Engineering (ESF 3)</b>	<b>Firefighting (ESF 4)</b>	<b>Emergency Management (ESF 5)</b>	<b>Mass Care (ESF 6)</b>	<b>Logistics and Resource Mgmt. (ESF 7)</b>	<b>Public Health and Medical Services (ESF 8)</b>	<b>Search and Rescue (ESF 9)</b>	<b>Oil and Hazardous Mtlis. Response (ESF 10)</b>	<b>Agriculture and Natural Resources (ESF 11)</b>	<b>Energy (ESF 12)</b>	<b>Public Safety and Security (ESF 13)</b>	<b>Public Information (ESF 15)</b>
Texas Department of Licensing and Regulation			S		S		S	S			S			S
Texas Department of Motor Vehicles	S				S									
Texas Department of Public Safety*	S	S		S	S	S	S	S	S	S	S		P	S
Texas Department of State Health Services*		S			S	S	S	P	S	S	S			S
Texas Department of Transportation*	P	S	P	S	S		S	S	S	S				S
Texas Division of Emergency Management*	S	P	S	S	P	P	P	S	S	S	S	S	S	P
Texas Education Agency					S	S								
Texas Facilities Commission			S		S		S							
Texas General Land Office*	S	S			S				S	S				S
Texas Health and Human Services Commission	S	S			S	S	S	S		S				
Texas Military Department*	S	S		S	S	S	S	S	S				S	
Texas Office of the Attorney General					S								S	S
Texas Parks and Wildlife Department*	S	S			S	S			S	S			S	
Texas State Auditor's Office					S									
Texas State University System					S			S			S			
Texas Tech University System		S	S		S	S	S	S		S	S		S	S
Texas Voluntary Organizations Active in Disaster					S	S	S	S						S
Texas Workforce Commission					S		S							
The Salvation Army				S	S	S	S	S						S
University of Houston System					S								S	

<b>TEMC Entity</b>		
University of North Texas System		Transportation (ESF 1)
University of Texas System	S	Communications (ESF 2)
Texas A&M University System	S	Public Works and Engineering (ESF 3)
		Firefighting (ESF 4)
	S	Emergency Management (ESF 5)
	S	Mass Care (ESF 6)
	S	Logistics and Resource Mgmt. (ESF 7)
	S	Public Health and Medical Services (ESF 8)
	S	Search and Rescue (ESF 9)
	S	Oil and Hazardous Mtls. Response (ESF 10)
	S	Agriculture and Natural Resources (ESF 11)
	S	Energy (ESF 12)
	S	Public Safety and Security (ESF 13)
	S	Public Information (ESF 15)

**S** = Support responsibility for this ESF

**P** = Primary agency or entity for this ESF

\* indicates member of the State Emergency Response Commission

## **Appendix E: Continuity of Government**

Continuity of government requirements include coordination and control actions to help ensure that state government continues to operate effectively, regardless of the emergency or disaster. Requirements and guidelines also specify the actions necessary to restore state government to a steady state.

### **Lines of Succession**

Article III, Section 62 of the Texas Constitution provides for the prompt and temporary succession to the powers and duties of public offices, whether by election or appointment. If the incumbents of those offices become unavailable for carrying out the duties of their office, the legislature may appoint successors.

#### **Executive**

The lines of succession to the governor are specified in the Texas Constitution (Article IV, Section 3a) and the Emergency Interim Executive Succession Act ([Tex. Gov. Code § 401.021](#)). The succession order includes the lieutenant governor, president pro-tempore of the senate, speaker of the House of Representatives, the attorney general and the chief justice of each of the courts of appeals in the numerical order of the supreme judicial districts in which they serve ([Tex. Gov. Code § 401.023](#)).

#### **Legislative**

The lines of succession for the state legislature are detailed in the Emergency Interim Legislative Succession Act ([Tex. Gov. Code §§ 304.001-304.011](#)).

#### **Judiciary**

There is no automatic succession for members of the judiciary. The governor temporarily fills vacancies of state judges or justices until the next general election occurs ([Tex. Const. art.V, § 28](#)).

#### **State Agencies**

The Emergency Interim Public Office Succession Act defines lines of succession for state agencies and requires a minimum of three and a maximum of seven successors for key positions ([Tex. Loc. Gov. Code § 616.021](#)). Texas Emergency Management Council (TEMC) members should develop and maintain appropriate lines of succession for key positions, as well as outline procedures for the orderly succession of responsibilities.

#### **Local Governments**

Lines of succession for local governments will be in accordance with existing state and local laws and policies and local government emergency management plans.

## **Delegation of Emergency Authority**

The Texas Disaster Act of 1975 ([Tex. Gov. Code Ch. 418](#)) describes the legal authority available to the governor during a major emergency or disaster situation affecting the State. The Texas Constitution ([Article III, Section 62](#)) outlines when and how the governor, after consulting with the lieutenant governor and the speaker of the House of Representatives, may suspend the constitutional requirement that the legislature hold its sessions in Austin, the seat of government, if warranted, during a disaster.

TEMC members should understand their legal authority during emergencies, as well as the circumstances under which existing or expanded authority may be exercised and by whom.

## **Continuity of Operations**

The Texas Division of Emergency Management Continuity of Operations (COOP) Agency Plan applies to the Texas Division of Emergency Management (TDEM) and associated facilities. It is activated in response to an incident or threat that reduces TDEM operating capacity to an unacceptable level. During COOP planning, the division leadership identifies essential functions, resources, leadership succession and delegation orders. TDEM chief activates the COOP management team and the COOP management plan from the TDEM COOP plan. An Emergency Relocation Group (ERG), made up of subject matter experts from the various divisions will recommend to leadership what functions must be restored, relocated or devolved and report the resources required to do each.

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