

1-1 By: Flynn (Senate Sponsor - Staples) H.B. No. 3074  
1-2 (In the Senate - Received from the House May 5, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on Finance;  
1-4 May 24, 2003, reported favorably by the following vote: Yeas 12,  
1-5 Nays 0; May 24, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to required activities and limits on the amounts of state  
1-9 financial assistance for which regional planning commissions may be  
1-10 eligible.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 391.012, Local Government Code, is  
1-13 amended to read as follows:

1-14 Sec. 391.012. STATE FINANCIAL ASSISTANCE. (a) To qualify  
1-15 for state financial assistance, a commission must:

1-16 (1) have funds available annually from sources other  
1-17 than federal or state governments equal to or greater than half of  
1-18 the state financial assistance for which the commission applies;

1-19 (2) comply with the regulations of the agency  
1-20 responsible for administering this chapter;

1-21 (3) offer membership in the commission to all counties  
1-22 and municipalities included in the state planning region [~~or~~  
1-23 ~~subregion~~];

1-24 (4) include any combination of counties or  
1-25 municipalities having a combined population equal to or greater  
1-26 than 60 percent of the population of the state planning region [~~or~~  
1-27 ~~subregion~~];

1-28 (5) include at least one full county;

1-29 (6) encompass an area that is economically and  
1-30 geographically interrelated and forms a logical planning region;  
1-31 and

1-32 (7) be engaged in a regional [~~comprehensive~~  
1-33 ~~development~~] planning process.

1-34 (b) Within funds available and in accordance with rules  
1-35 issued by the office of the governor, a commission may use state  
1-36 financial assistance to:

1-37 (1) promote intergovernmental cooperation by  
1-38 coordinating regional plans and programs with member governments,  
1-39 nonmember governments, state agencies which impact the region, and,  
1-40 where state agencies have regional office structures, state agency  
1-41 regional offices;

1-42 (2) function as a regional review agency under the  
1-43 Texas Review and Comment System pursuant to state and federal  
1-44 statutes and regulations;

1-45 (3) leverage commission dues, local funds, and state  
1-46 funds to obtain maximum federal funding assistance and private  
1-47 funding for the state and the region;

1-48 (4) provide assistance to local governments;

1-49 (5) assist state agencies and organizations in  
1-50 developing local and regional input for state plans, in planning  
1-51 for the successful implementation of state programs at the regional  
1-52 level as required in Section 391.009, Subsection (c), in preparing  
1-53 for and conducting state-sponsored hearings and public meetings,  
1-54 and in disseminating state-generated information and educational  
1-55 materials; and

1-56 (6) provide assistance to state agencies and  
1-57 organizations in developing, implementing, and assessing state  
1-58 programs and services within the region as needed [A comprehensive  
1-59 development planning process must assess the needs and resources of  
1-60 a region, formulate goals, objectives, policies and standards to  
1-61 guide the long range physical, economic, and human resource  
1-62 development of a region, and prepare plans and programs that:

1-63 [(1) identify alternative courses of action and the  
1-64 special and functional relationships among the activities to be

2-1 ~~carried out,~~  
 2-2 ~~[(2) specify the appropriate ordering in time of~~  
 2-3 ~~activities,~~  
 2-4 ~~[(3) take into account other relevant factors~~  
 2-5 ~~affecting the achievement of the desired development of the region,~~  
 2-6 ~~[(4) provide an overall framework and guide for the~~  
 2-7 ~~preparation of function and project development plans,~~  
 2-8 ~~[(5) make recommendations for long range programming~~  
 2-9 ~~and financing of capital projects and facilities that are of mutual~~  
 2-10 ~~concern to two or more participating governmental units, and~~  
 2-11 ~~[(6) make other appropriate recommendations].~~

2-12 (c) A commission that qualifies for state financial  
 2-13 assistance is eligible annually for an [maximum] amount determined  
 2-14 as follows ~~[of]~~:

- 2-15 (1) ~~[\$10,000 base grant,~~
- 2-16 ~~(2) an additional]~~ \$1,000 for each dues-paying member  
 2-17 county; ~~[and]~~
- 2-18 (2) ~~[(3)]~~ an additional 10 cents per capita for the  
 2-19 population of dues-paying member counties and municipalities; and
- 2-20 (3) the amount necessary to assure that the total  
 2-21 amount available to the commission is no less than \$50,000.

2-22 (d) If state appropriations are more than the amount  
 2-23 necessary to fund the level of financial assistance generated by  
 2-24 this formula, the governor shall increase the funding for which  
 2-25 each commission is eligible in proportion to the amount it would  
 2-26 have been eligible to receive in Subsection (c) [The minimum amount  
 2-27 of annual state financial assistance for which a commission may  
 2-28 apply is \$15,000].

2-29 (e) If state appropriations are less than the amount  
 2-30 necessary to fund the level of financial assistance generated by  
 2-31 the formula in Subsection (c) above:

- 2-32 (1) No commission shall receive less than annual  
 2-33 financial assistance of \$50,000, as long as financial assistance  
 2-34 available to all commissions remains at or above the level of  
 2-35 assistance allocated in fiscal year 2003.
- 2-36 (2) If available annual financial assistance is less  
 2-37 than the amount allocated in fiscal year 2003, assistance to all  
 2-38 commissions shall be reduced proportionally from the assistance  
 2-39 they would have received at the fiscal year 2003 funding level.

2-40 (f) For the purposes of this section, the population of a  
 2-41 county is the population outside all dues-paying member  
 2-42 municipalities.

2-43 SECTION 2. This Act takes effect immediately if it receives  
 2-44 a vote of two-thirds of all the members elected to each house, as  
 2-45 provided by Section 39, Article III, Texas Constitution. If this  
 2-46 Act does not receive the vote necessary for immediate effect, this  
 2-47 Act takes effect September 1, 2003.

2-48 \* \* \* \* \*