

BILL ANALYSIS

Senate Research Center

H.B. 3114
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Finance
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Managing and maximizing federal money for certain state programs can help extend the availability and use of the programs. H.B. 3114 directs the Office of State-Federal Relations to undertake efforts to increase the state's share of federal money for homeland security to more fairly reflect the state's population. According to the Legislative Budget Board's Staff Performance Report (2005), current National Homeland Security Grants for States funding formulas guarantee each state 0.75 percent of available funds, and this set-aside accounts for 40 percent of federal funds to states, leaving only 60 percent to be distributed on the basis of population. This allocation methodology results in disparities on a per capita basis. Recently passed federal appropriations for homeland security shift some funding into new or expanded programs and reduce others.

H.B. 3114 focuses state agencies on the goals of complying with and maximizing federal funds, and directs inter-agency coordination for certain projects on air quality and infrastructure as well as inter-governmental coordination for homeland security.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.074(a), Education Code, to authorize the commissioner of education, to ensure compliance with federal law or regulations, to direct the Texas Education Agency (TEA) to conduct on-site investigations at any time with regard to, rather than to answer any questions concerning, a program, including a special education program, required by federal law or for which the district receives federal funds.

SECTION 2. Amends Section 382.011, Health and Safety Code, by adding Subsection (d), to require the Texas Commission on Environmental Quality to consult with the Texas Department of Transportation (TxDOT) when determining how to direct available funding resources of each state agency to projects and categories of projects to achieve, at the lowest possible cost, the greatest benefits to air quality and to progress toward attainment of national ambient air quality standards in nonattainment areas.

SECTION 3. Amends Section 411.0098(b), Government Code, to require the Texas Department of Public Safety and TxDOT to develop a plan for maximizing federal money, rather than funds, to address infrastructure needs that affect enforcement efforts.

SECTION 4. Amends Section 421.002, Government Code, by adding Subsection (d), to require the governor's homeland security strategy to advise local governments of any changes in strategy for grants of federal money for homeland security. Authorizes the governor to assist a local government in maximizing acquisition or efficient use of federal money.

SECTION 5. Amends Section 751.022, Government Code, by adding Subsection (d), to require the office of state-federal relations to undertake efforts to increase the state's share of federal money available for homeland security purposes to more fairly reflect the population of this state.

SECTION 6. Effective date: September 1, 2005.