

1-1 By: Zaffirini S.B. No. 827
1-2 (In the Senate - Filed March 1, 2005; March 10, 2005, read
1-3 first time and referred to Committee on International Relations and
1-4 Trade; April 12, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 April 12, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 827 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to systems for identifying colonias and for tracking the
1-11 progress of state-funded projects that benefit colonias and the
1-12 submission of a related report to the legislature.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter B, Chapter 405, Government Code, is
1-15 amended by adding Section 405.021 to read as follows:

1-16 Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING
1-17 COLONIAS. (a) In this section, "colonia" means a geographic area
1-18 that:

1-19 (1) is an economically distressed area as defined by
1-20 Section 17.921, Water Code; and

1-21 (2) is located in a county any part of which is within
1-22 62 miles of an international border.

1-23 (b) Based on information provided under Subsections (c) and
1-24 (d), the secretary of state shall establish and maintain a
1-25 classification system that allows the secretary of state to track
1-26 the progress of state-funded projects in providing water or
1-27 wastewater services, paved roads, and other assistance to colonias.

1-28 (c) The secretary of state shall compile information
1-29 received from the Office of Rural Community Affairs, the Texas
1-30 Water Development Board, the Texas Transportation Commission, the
1-31 Texas Department of Housing and Community Affairs, the Department
1-32 of State Health Services, and any other agency considered
1-33 appropriate by the secretary of state for purposes of the
1-34 classification system.

1-35 (d) The secretary of state shall compile information on
1-36 colonias that is received from the colonia ombudsmen under Section
1-37 775.004.

1-38 (e) The secretary of state shall:

1-39 (1) prepare a report on the progress of state-funded
1-40 projects in providing water or wastewater services, paved roads,
1-41 and other assistance to colonias; and

1-42 (2) submit the report to the presiding officer of each
1-43 house of the legislature not later than December 1 of each
1-44 even-numbered year.

1-45 (f) The report to the legislature must include a list of
1-46 colonias with the highest health risk to colonia residents, based
1-47 on factors identified by the secretary of state.

1-48 (g) In conjunction with the establishment of the
1-49 classification system required by this section, the secretary of
1-50 state shall establish and maintain a statewide system for
1-51 identifying colonias.

1-52 (h) The secretary of state may contract with a third party
1-53 to develop the classification system or the identification system
1-54 or to compile or maintain the relevant information required by this
1-55 section.

1-56 SECTION 2. Subchapter C, Chapter 487, Government Code, is
1-57 amended by adding Section 487.060 to read as follows:

1-58 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this
1-59 section, "colonia" means a geographic area that:

1-60 (1) is an economically distressed area as defined by
1-61 Section 17.921, Water Code; and

1-62 (2) is located in a county any part of which is within
1-63 50 miles of an international border.

2-1 **(b) To assist the secretary of state in preparing the report**
2-2 **required under Section 405.021, the office on a quarterly basis**
2-3 **shall provide a report to the secretary of state detailing any**
2-4 **projects funded by the office that serve colonias by providing**
2-5 **water or wastewater services, paved roads, or other assistance.**

2-6 **(c) The report must include:**
2-7 **(1) a description of any relevant projects;**
2-8 **(2) the location of each project;**
2-9 **(3) the number of colonia residents served by each**
2-10 **project;**
2-11 **(4) the cost or anticipated cost of each project;**
2-12 **(5) a statement of whether each project is completed**
2-13 **and, if not, the expected completion date of the project; and**
2-14 **(6) any other information, as determined appropriate**
2-15 **by the secretary of state.**

2-16 **SECTION 3. Chapter 775, Government Code, is amended by**
2-17 **amending Section 775.003 and adding Section 775.004 to read as**
2-18 **follows:**

2-19 **Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia**
2-20 **initiatives coordinator shall [may] appoint a colonia ombudsman in**
2-21 **each of the six border counties that the coordinator determines**
2-22 **have the largest colonia populations.**

2-23 **Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia**
2-24 **ombudsmen shall gather information about the colonias in the**
2-25 **counties for which the ombudsmen were appointed and provide the**
2-26 **information to the secretary of state, to assist the secretary of**
2-27 **state in preparing the report required under Section 405.021.**

2-28 **(b) To the extent possible, the ombudsmen shall gather**
2-29 **information regarding:**

2-30 **(1) the platting of each colonia;**
2-31 **(2) the infrastructure of each colonia;**
2-32 **(3) the availability of health care services;**
2-33 **(4) the availability of financial assistance; and**
2-34 **(5) any other appropriate topic as requested by the**
2-35 **secretary of state.**

2-36 **(c) The ombudsmen shall provide the information to the**
2-37 **secretary of state not later than September 1 of each even-numbered**
2-38 **year.**

2-39 **SECTION 4. Subchapter D, Chapter 2306, Government Code, is**
2-40 **amended by adding Section 2306.083 to read as follows:**

2-41 **Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this**
2-42 **section, "colonia" means a geographic area that:**

2-43 **(1) is an economically distressed area as defined by**
2-44 **Section 17.921, Water Code; and**
2-45 **(2) is located in a county any part of which is within**
2-46 **50 miles of an international border.**

2-47 **(b) To assist the secretary of state in preparing the report**
2-48 **required under Section 405.021, the board on a quarterly basis**
2-49 **shall provide a report to the secretary of state detailing any**
2-50 **projects funded by the department that provide assistance to**
2-51 **colonias.**

2-52 **(c) The report must include:**
2-53 **(1) a description of any relevant projects;**
2-54 **(2) the location of each project;**
2-55 **(3) the number of colonia residents served by each**
2-56 **project;**
2-57 **(4) the cost or anticipated cost of each project;**
2-58 **(5) a statement of whether each project is completed**
2-59 **and, if not, the expected completion date of the project; and**
2-60 **(6) any other information, as determined appropriate**
2-61 **by the secretary of state.**

2-62 **SECTION 5. Subchapter B, Chapter 1001, Health and Safety**
2-63 **Code, is amended by adding Section 1001.033 to read as follows:**

2-64 **Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this**
2-65 **section, "colonia" means a geographic area that:**

2-66 **(1) is an economically distressed area as defined by**
2-67 **Section 17.921, Water Code; and**
2-68 **(2) is located in a county any part of which is within**
2-69 **50 miles of an international border.**

3-1 (b) To assist the secretary of state in preparing the report
3-2 required under Section 405.021, Government Code, the commissioner
3-3 on a quarterly basis shall provide a report to the secretary of
3-4 state detailing any projects funded by the department that provide
3-5 assistance to colonias.

3-6 (c) The report must include:
3-7 (1) a description of any relevant projects;
3-8 (2) the location of each project;
3-9 (3) the number of colonia residents served by each
3-10 project;
3-11 (4) the cost or anticipated cost of each project;
3-12 (5) a statement of whether each project is completed
3-13 and, if not, the expected completion date of the project; and
3-14 (6) any other information, as determined appropriate
3-15 by the secretary of state.

3-16 SECTION 6. Subchapter C, Chapter 201, Transportation Code,
3-17 is amended by adding Section 201.116 to read as follows:

3-18 Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this
3-19 section, "colonia" means a geographic area that:

3-20 (1) is an economically distressed area as defined by
3-21 Section 17.921, Water Code; and
3-22 (2) is located in a county any part of which is within
3-23 50 miles of an international border.

3-24 (b) To assist the secretary of state in preparing the report
3-25 required under Section 405.021, Government Code, the commission
3-26 on a quarterly basis shall provide a report to the secretary of state
3-27 detailing any projects funded by the department that serve colonias
3-28 by providing paved roads or other assistance.

3-29 (c) The report must include:
3-30 (1) a description of any relevant projects;
3-31 (2) the location of each project;
3-32 (3) the number of colonia residents served by each
3-33 project;
3-34 (4) the cost or anticipated cost of each project;
3-35 (5) a statement of whether each project is completed
3-36 and, if not, the expected completion date of the project; and
3-37 (6) any other information, as determined appropriate
3-38 by the secretary of state.

3-39 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended
3-40 by adding Section 6.1565 to read as follows:

3-41 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this
3-42 section, "colonia" means a geographic area that:

3-43 (1) is an economically distressed area as defined by
3-44 Section 17.921; and
3-45 (2) is located in a county any part of which is within
3-46 50 miles of an international border.

3-47 (b) To assist the secretary of state in preparing the report
3-48 required under Section 405.021, Government Code, the board on a
3-49 quarterly basis shall provide a report to the secretary of state
3-50 detailing any projects funded by the board that serve colonias by
3-51 providing water or waste water services or other assistance.

3-52 (c) The report must include:
3-53 (1) a description of any relevant projects;
3-54 (2) the location of each project;
3-55 (3) the number of colonia residents served by each
3-56 project;
3-57 (4) the cost or anticipated cost of each project;
3-58 (5) a statement of whether each project is completed
3-59 and, if not, the expected completion date of the project; and
3-60 (6) any other information, as determined appropriate
3-61 by the secretary of state.

3-62 SECTION 8. This Act takes effect September 1, 2005.

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