

BILL ANALYSIS

Senate Research Center
80R8437 TAD-F

H.B. 3698
By: McCall (Gallegos)
S/C on Flooding & Evacuations
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the state is not required to reimburse cities for the cost of opening and operating emergency shelters for evacuees because of state recommended or ordered evacuation. Cities are eligible for reimbursement only when a federal disaster declaration is issued, and then only at 75 percent of eligible expenses. Under a federal disaster declaration, expenses such as straight-time salary for employees and loss of revenue for public facilities are not considered eligible. Some cities report that the lack of a requirement for the state to reimburse emergency shelter costs to cities creates an unfair financial burden. Taxpayers of the affected political subdivision must currently bear the cost of providing shelter to evacuees without reimbursement or expectation of reciprocity. Financial assistance is vital to the state's disaster management because it will help insure that cities around the state that are unaffected by a disaster will provide emergency shelters for disaster victims.

H.B. 3698 requires the state to provide financial assistance to, and ultimately reimburse, cities that provide emergency shelters for persons from outside the host city in response to a state-ordered evacuation.

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 418.004, Government Code, by adding Subdivision (6-a) to define "public facility."

SECTION 2. Amends Section 418.020, Government Code, as follows:

Sec. 418.020. New heading: TEMPORARY HOUSING AND EMERGENCY SHELTER. (a) Makes no changes to this subsection.

(b) Authorizes the governor to assist a political subdivision that is the locus of temporary housing or emergency shelters for disaster victims to acquire sites necessary for temporary housing or emergency shelters and to do all things required to prepare the sites to receive and use temporary housing units or emergency shelters by taking certain actions. Makes conforming changes.

(c) Makes a conforming change.

(d) Makes conforming changes.

(e) Requires a political subdivision that is the locus of temporary housing or emergency shelters for persons moved or evacuated by recommendation or order of the governor to be assisted by any resource available to the state to ensure the political subdivision receives an advance or reimbursement of certain costs.

SECTION 3. Effective date: September 1, 2007.