

By: Hamilton

H.B. No. 2694

A BILL TO BE ENTITLED

AN ACT

relating to the disaster contingency fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 418.073, Government Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) ~~[If the governor finds that the demands placed on funds regularly appropriated to state and local agencies are unreasonably great for coping with a particular disaster, the governor with the concurrence of the disaster emergency funding board may make funds available from the disaster contingency fund.]~~ It is the intent of the legislature that in responding to an emergency or disaster, the first recourse of state and local agencies should be to the funds regularly appropriated to those [state and local] agencies.

(c) A state agency, local government, or other eligible entity may request funding from the disaster contingency fund to pay for:

(1) extraordinary costs incurred in implementing preventive measures taken before or during an emergency; and

(2) costs incurred in repairing damage suffered during a disaster for which:

(A) the presiding officer of a municipal or county government has declared a local state of disaster for affected areas within the jurisdiction of the municipality or

1 county;

2 (B) the governor has also declared a state of
3 disaster for the affected county or counties; and

4 (C) the federal government has not issued an
5 emergency or disaster declaration for the affected area that would
6 activate federal emergency assistance.

7 (d) The governor's division of emergency management shall
8 administer the disaster contingency fund and shall develop and
9 implement rules and procedures for providing emergency assistance
10 from the fund.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2007.