

1-1 By: Hamilton (Senate Sponsor - Janek) H.B. No. 2694
1-2 (In the Senate - Received from the House May 8, 2007;
1-3 May 10, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 17, 2007, reported
1-5 favorably by the following vote: Yeas 7, Nays 0; May 17, 2007, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the disaster contingency fund.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 418.073, Government Code, is amended by
1-12 amending Subsection (b) and adding Subsections (c) and (d) to read
1-13 as follows:

1-14 ~~(b) [If the governor finds that the demands placed on funds~~
1-15 ~~regularly appropriated to state and local agencies are unreasonably~~
1-16 ~~great for coping with a particular disaster, the governor with the~~
1-17 ~~concurrence of the disaster emergency funding board may make funds~~
1-18 ~~available from the disaster contingency fund.]~~ It is the intent of
1-19 the legislature that in responding to an emergency or disaster, the
1-20 first recourse of state and local agencies should be to the funds
1-21 regularly appropriated to those [state and local] agencies.

1-22 (c) A state agency, local government, or other eligible
1-23 entity may request funding from the disaster contingency fund to
1-24 pay for:

1-25 (1) extraordinary costs incurred in implementing
1-26 preventive measures taken before or during an emergency; and

1-27 (2) costs incurred in repairing damage suffered during
1-28 a disaster for which:

1-29 (A) the presiding officer of a municipal or
1-30 county government has declared a local state of disaster for
1-31 affected areas within the jurisdiction of the municipality or
1-32 county;

1-33 (B) the governor has also declared a state of
1-34 disaster for the affected county or counties; and

1-35 (C) the federal government has not issued an
1-36 emergency or disaster declaration for the affected area that would
1-37 activate federal emergency assistance.

1-38 (d) The governor's division of emergency management shall
1-39 administer the disaster contingency fund and shall develop and
1-40 implement rules and procedures for providing emergency assistance
1-41 from the fund.

1-42 SECTION 2. This Act takes effect immediately if it receives
1-43 a vote of two-thirds of all the members elected to each house, as
1-44 provided by Section 39, Article III, Texas Constitution. If this
1-45 Act does not receive the vote necessary for immediate effect, this
1-46 Act takes effect September 1, 2007.

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