

## **BILL ANALYSIS**

H.B. 3333  
By: Merritt  
Border & Intergovernmental Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Economic development is the foundation of a strong economy. A strong economy coincides with job growth, higher wages, health care benefits, and a better quality of life. As competition increases among cities and counties for new businesses and funds, it is often necessary to take a regional approach when it comes to economic development. This allows municipalities and counties to combine their resources to effectively compete with other areas of Texas, as well as with neighboring states.

H.B. 3333 creates an economic development steering committee in the Texas-Louisiana border region and provides for the committee's composition and operation.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3333 amends the Government Code to provide a legislative finding that the orderly economic development of the area of Texas near the Texas-Louisiana border is of concern to the entire state and to create the Texas-Louisiana border region economic development steering committee, consisting of the county judges of the five most populous counties in the Texas-Louisiana border region; the county judge of any other county in the border region, if the commissioners court elects to join the committee; and any representatives from economic development councils serving the region, as selected by the committee. The bill requires the committee to develop a strategic plan for the economic development of the Texas-Louisiana border region, in the same manner as a state agency is required to make a strategic plan for its operations, and authorizes the committee to take action to implement this plan.

H.B. 3333 requires the committee members to elect one member as presiding officer, who may then select another member to preside in the presiding officer's absence. The bill requires the presiding officer to call at least one committee meeting each year and authorizes the presiding officer to call other meetings as determined appropriate. The bill entitles a committee member to reimbursement for reasonable expenses incurred while serving, but not compensation. The bill requires the committee to adopt rules for its proceedings and to appoint an executive committee, and authorizes the committee to employ and compensate persons to carry out the committee's powers and duties. The bill establishes that provisions concerning the regulation of conflicts of interest of certain local governmental officers apply to a committee member in the same manner as those provisions apply to a local public official.

H.B. 3333 establishes the committee as a public body and a political subdivision of the state exercising public and essential governmental functions and having all the powers necessary or convenient to carry out the purposes of these provisions. The bill specifies that the committee, in the exercise of those powers, is performing only governmental functions and is a governmental

unit within the meaning of provisions relating to tort claims. The bill establishes that the committee is subject to the Texas Sunset Act and, unless continued in existence, the committee is abolished and these provisions expire September 1, 2021. The bill establishes that service on the committee by a county judge is an additional duty of the county judge's office.

H.B. 3333 authorizes the committee to sue and be sued in all courts, institute and prosecute suits without giving security for costs, and appeal from a judgment without giving a supersedeas or cost bond. The bill authorizes an action at law or in equity against the committee to be brought in any county in the Texas-Louisiana border region. The bill authorizes the committee to acquire and hold, use, sell, lease, or dispose of real and personal property, licenses, patents, rights, and interests necessary, convenient, or useful for the full exercise of its powers. The bill authorizes the committee to enter into a joint ownership agreement with any person; to make contracts, leases, and agreements with, and accept grants and loans from, the United States, Texas, agencies and political subdivisions of Texas or another state, and other persons and entities; and perform any act necessary for the full exercise of the powers vested in it. The bill authorizes the committee to solicit and accept gifts and grants from any public or private source for purposes of these provisions.

H.B. 3333 authorizes the committee to hold an open or closed meeting by telephone conference call, subject to the notice requirements applicable to other meetings. The bill requires the notice of the meeting to specify as the location of the meeting the location where committee meetings are usually held and requires each part open meeting to be audible to the public at the location specified in the notice and audio recorded. The bill requires the audio recording be made available to the public.

H.B. 3333 authorizes the committee to require an electric utility that provides retail electric service in the Texas-Louisiana border region to pay to the committee an assessment to be used to pay the committee costs, and requires the committee to determine the amount of the assessment so that the electric utility pays a proportion of the total costs equal to the proportion of the electric energy the utility delivers to retail customers in the Texas-Louisiana border region as compared to the total amount of electric energy all electric utilities deliver in the Texas-Louisiana border region. The bill requires an electric utility subject to these provisions to provide any information the committee determines is necessary, as requested by the committee.

H.B. 3333 defines "committee" as the Texas-Louisiana border region economic development steering committee, "electric utility" as an investor-owned electric utility, a municipally owned electric utility, or an electric cooperative, and "Texas-Louisiana border region" as the area consisting of the counties of Bowie, Camp, Cass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur, and Wood.

#### **EFFECTIVE DATE**

September 1, 2009.