

## **BILL ANALYSIS**

Senate Research Center  
81R816 YDB-F

S.B. 178  
By: Gallegos  
S/C on Flooding & Evacuations  
2/3/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current federal law, cities are eligible for reimbursement of 75 percent of eligible expenses incurred for emergency shelter services during a federally declared disaster. Eligible expenses under federal law do not include straight-time salary for public employees or loss of revenue for public facilities. State law, however, does not require the state to reimburse cities for providing emergency shelter for disaster victims during a state-ordered evacuation.

The provision of shelter to evacuees involves a significant commitment of resources by the host cities, including straight-time salaries, overtime payments, and lost revenue from public facilities such as convention centers used for emergency shelter operations that displace revenue-producing activities.

As proposed, S.B. 178 requires the State of Texas to reimburse a political subdivision that provides emergency shelter in response to a state-ordered evacuation for all expenses incurred by the subdivision, including lost revenue associated with the use of public facilities for temporary housing or emergency shelters and salaries and benefits for permanently employed personnel of the political subdivision.

### **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 becoming a copartner with the political subdivision for the execution and performance of any temporary housing or emergency shelter project for disaster victims.

(c) Makes conforming changes.

(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 all expenses, including lost revenue, incurred by the political subdivision associated with the

use of public facilities for temporary housing or emergency shelters and of the amounts paid for salaries and benefits of certain personnel of the political subdivision who perform duties associated with the movement or evacuation of persons into, out of, or through the political subdivision.

SECTION 3. Effective date: September 1, 2009.