

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1112
By: Estes
S/C on Flooding & Evacuations
4/30/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Residents in Wichita County have been devastated by flooding in 2007 and 2008. While the victims of the 2007 flooding received sufficient aid, no such aid has been available for victims of the 2008 flooding. An appeal to the Federal Emergency Management Agency for federal assistance was denied and the State of Texas is burdened with the associated costs of Hurricane Ike and a recessionary economy.

Under current law, counties are unable to provide disaster assistance from local funds that would be distributed to a select group of residents. Therefore, with no federal or state aid, the county has no authority to provide financial assistance from locally available funds.

C.S.S.B. 1112 amends current law relating to the provision of money from a county's general fund to disaster victims.

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 Subchapter Z, Chapter 130, Local Government Code, by adding Section 130.910, as follows:

Sec. 130.910. AID TO DISASTER VICTIMS. (a) Authorizes the commissioners court of a county, subject to Subsection (b), to provide money from the general fund of the county to individual residents of the county who are adversely affected by a disaster for which the county judge declared a local state of disaster under Section 418.108 (Declaration of Local Disaster), Government Code.

(b) Prohibits a county from providing assistance to an individual under this section until the commissioners court of the county has implemented policies and procedures to ensure that money granted under this section is used for the public purpose of providing disaster relief for emergency food, shelter, transportation, or other items or services necessary for public health and safety, and has determined that financial assistance from other sources, including this state and the federal government, is unavailable or inadequate.

SECTION 2. Effective date: upon passage or September 1, 2009.