

1-1 By: McCall (Senate Sponsor - Gallegos) H.B. No. 1998
1-2 (In the Senate - Received from the House April 24, 2009;
1-3 April 24, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 11, 2009, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 11, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1998 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to temporary housing and emergency shelters provided by a
1-11 political subdivision for disaster victims.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 418.004, Government Code, is amended by
1-14 adding Subdivision (6-a) to read as follows:

1-15 (6-a) "Public facility" has the meaning assigned by
1-16 Section 102, Robert T. Stafford Disaster Relief and Emergency
1-17 Assistance Act (42 U.S.C. Section 5122).

1-18 SECTION 2. Section 418.020, Government Code, is amended to
1-19 read as follows:

1-20 Sec. 418.020. TEMPORARY HOUSING AND EMERGENCY SHELTER.

1-21 (a) The governor may enter into purchase, lease, or other
1-22 arrangements with an agency of the United States for temporary
1-23 housing units to be occupied by disaster victims and may make units
1-24 available to any political subdivision.

1-25 (b) The governor may assist a political subdivision that is
1-26 the locus of temporary housing or emergency shelters for disaster
1-27 victims to acquire sites necessary for temporary housing or
1-28 emergency shelters and to do all things required to prepare the
1-29 sites to receive and use temporary housing units or emergency
1-30 shelters by:

1-31 (1) advancing or lending funds available to the
1-32 governor from any appropriation made by the legislature or from any
1-33 other source;

1-34 (2) allocating funds made available by a public or
1-35 private agency; or

1-36 (3) becoming a copartner with the political
1-37 subdivision for the execution and performance of any temporary
1-38 housing or emergency shelter project for disaster victims.

1-39 (c) Under regulations prescribed by the governor, the
1-40 governor may temporarily suspend or modify for a period of not more
1-41 than 60 days any public health, safety, zoning, intrastate
1-42 transportation, or other law or regulation if by proclamation the
1-43 governor considers the suspension or modification essential to
1-44 provide temporary housing or emergency shelter for disaster
1-45 victims.

1-46 (d) Any political subdivision may temporarily or
1-47 permanently acquire by lease, purchase, or other means sites
1-48 required for installation of temporary housing units or emergency
1-49 shelters for disaster victims and may enter into arrangements
1-50 necessary to prepare or equip the sites to use the housing units or
1-51 shelters, including arrangements for the purchase of temporary
1-52 housing units or shelters and the payment of transportation
1-53 charges.

1-54 (e) A political subdivision that is the locus of temporary
1-55 housing or emergency shelters for persons moved or evacuated by
1-56 recommendation or order of the governor may be assisted by any
1-57 resource available to the state, including the disaster contingency
1-58 fund, to ensure the political subdivision receives an advance or
1-59 reimbursement:

1-60 (1) of all expenses, including lost revenue, incurred
1-61 by the political subdivision associated with the use of public
1-62 facilities for temporary housing or emergency shelters; and

1-63 (2) of the amounts paid for salaries and benefits of

2-1 permanently employed, straight-time and regular-time personnel of
2-2 the political subdivision who perform duties associated with the
2-3 movement or evacuation of persons into, out of, or through the
2-4 political subdivision.

2-5 SECTION 3. This Act takes effect September 1, 2009.

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