

By: Merritt

H.B. No. 3333

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation and operation of the Texas-Louisiana
3 border region economic development steering committee; authorizing
4 an assessment.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The legislature finds that the orderly economic
7 development of the area of this state near the Texas-Louisiana
8 border is of concern to the entire state.

9 SECTION 2. Chapter 2056, Government Code, is amended by
10 adding Section 2056.012 to read as follows:

11 Sec. 2056.012. TEXAS-LOUISIANA BORDER REGION ECONOMIC
12 DEVELOPMENT STEERING COMMITTEE. (a) In this section:

13 (1) "Committee" means the Texas-Louisiana border
14 region economic development steering committee.

15 (2) "Electric utility" means an investor-owned
16 electric utility, a municipally owned electric utility, or an
17 electric cooperative.

18 (3) "Texas-Louisiana border region" has the meaning
19 assigned by Section 2056.002.

20 (b) The committee consists of:

21 (1) the county judges of the five most populous
22 counties in the Texas-Louisiana border region;

23 (2) the county judge of any other county in the
24 Texas-Louisiana border region, if the commissioners court elects to

1 join the committee; and

2 (3) any representatives from economic development
3 councils serving the Texas-Louisiana border region, as selected by
4 the committee.

5 (c) The committee shall develop a strategic plan for the
6 economic development of the Texas-Louisiana border region, in the
7 same manner as a state agency is required by this chapter to make a
8 strategic plan for its operations, and may take action to implement
9 the strategic plan.

10 (d) The members of the committee shall elect one member as
11 presiding officer. The presiding officer may select another member
12 to preside in the absence of the presiding officer. The presiding
13 officer shall call at least one meeting of the committee each year
14 and may call other meetings as the presiding officer determines are
15 appropriate. A member of the committee is not entitled to
16 compensation for serving as a member but is entitled to
17 reimbursement for reasonable expenses incurred while serving as a
18 member. The committee shall adopt rules for its proceedings and
19 appoint an executive committee. The committee may employ and
20 compensate persons to carry out the powers and duties of the
21 committee. Chapter 171, Local Government Code, applies to a member
22 of the committee in the same manner as that chapter applies to a
23 local public official.

24 (e) The committee is a public body and a political
25 subdivision of the state exercising public and essential
26 governmental functions and has all the powers necessary or
27 convenient to carry out the purposes of this section. The

1 committee, in the exercise of powers under this section, is
2 performing only governmental functions and is a governmental unit
3 within the meaning of Chapter 101, Civil Practice and Remedies
4 Code.

5 (f) The committee is subject to Chapter 325 (Texas Sunset
6 Act). Unless continued in existence as provided by that chapter,
7 the committee is abolished and this section expires September 1,
8 2021.

9 (g) Service on the committee by a county judge is an
10 additional duty of the county judge's office.

11 (h) The committee may sue and be sued in all courts, may
12 institute and prosecute suits without giving security for costs,
13 and may appeal from a judgment without giving a supersedeas or cost
14 bond. An action at law or in equity against the committee may be
15 brought in any county in the Texas-Louisiana border region.

16 (i) The committee may acquire by grant, purchase, gift,
17 devise, lease, or otherwise and may hold, use, sell, lease, or
18 dispose of real and personal property, licenses, patents, rights,
19 and interests necessary, convenient, or useful for the full
20 exercise of its powers.

21 (j) The committee may enter into a joint ownership agreement
22 with any person.

23 (k) The committee may make contracts, leases, and
24 agreements with, and accept grants and loans from, the United
25 States, this state, agencies and political subdivisions of this
26 state or another state of the United States, and other persons and
27 entities and may perform any act necessary for the full exercise of

1 the powers vested in it.

2 (1) Notwithstanding Chapter 551, the committee may hold an
3 open or closed meeting by telephone conference call. The meeting is
4 subject to the notice requirements applicable to other meetings.
5 The notice of the meeting must specify as the location of the
6 meeting the location where meetings of the committee are usually
7 held. Each part of the meeting that is required to be open to the
8 public shall be audible to the public at the location specified in
9 the notice and shall be audio recorded. The audio recording shall be
10 made available to the public.

11 (m) The committee may solicit and accept gifts and grants
12 from any public or private source for purposes of this section.

13 (n) The committee may require an electric utility that
14 provides retail electric service in the Texas-Louisiana border
15 region to pay to the committee an assessment to be used to pay the
16 costs of the committee.

17 (o) The committee shall determine the amount of the
18 assessment for each electric utility so that the electric utility
19 pays a proportion of the total costs equal to the proportion of the
20 electric energy the electric utility delivers to retail customers
21 in the Texas-Louisiana border region as compared to the total
22 amount of electric energy all electric utilities deliver in the
23 Texas-Louisiana border region. Such assessment shall be considered
24 a reasonable and necessary cost of an investor-owned electric
25 utility. Upon approval by the Public Utility Commission of Texas of
26 an appropriate allocation of the assessment to customers, an
27 investor-owned electric utility may timely recover the cost of the

1 assessment from its customers through a charge added to customer
2 bills.

3 (p) An electric utility subject to this section shall
4 provide, as requested by the committee, any information the
5 committee determines is necessary to comply with this section.

6 SECTION 3. This Act takes effect September 1, 2009.