

By: Eiland

H.B. No. 4102

A BILL TO BE ENTITLED

AN ACT

relating to the disaster contingency fund.

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

SECTION 1. Section 418.073(c), Government Code, as added by Chapter 1250 (H.B. 2694), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

(c) A state or ~~[agency,~~ local government ~~[, or other eligible]~~ entity that participates in disaster preparation or disaster recovery may request and receive funding from the disaster contingency fund to pay for ~~[+~~

~~[(1) extraordinary]~~ costs incurred by the state or local government entity in preparing for or recovering from ~~[implementing preventive measures taken before or during an emergency, and~~

~~[(2) costs incurred in repairing damage suffered during]~~ a disaster ~~[for which:~~

~~[(A) the presiding officer of a municipal or county government has declared a local state of disaster for affected areas within the jurisdiction of the municipality or county, and~~

~~[(B) the governor has also declared a state of disaster for the affected county or counties].~~

SECTION 2. Section 418.073, Government Code, is amended by adding Subsection (f) to read as follows:

1       (f) A state or local government entity that receives funding  
2 from the disaster contingency fund to pay for costs associated with  
3 disaster preparation or disaster recovery and that subsequently  
4 receives reimbursement from the federal government for those same  
5 costs shall reimburse the disaster contingency fund for the  
6 federally reimbursed amounts. In developing rules and procedures  
7 under Subsection (d) the governor's division of emergency  
8 management shall prescribe accounting and other procedures  
9 necessary to efficiently and effectively implement this  
10 subsection.

11       SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2009.