

By: Turner of Harris

H.B. No. 4263

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Recovery Accountability and
Transparency Board.

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

SECTION 1. Subtitle C, Title 3, Government Code, is amended
by adding Chapter 327 to read as follows:

CHAPTER 327. TEXAS RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SUBCHAPTER A. GENERAL AND ADMINISTRATIVE PROVISIONS

Sec. 327.001. DEFINITIONS. In this chapter:

(1) "Board" means the Texas Recovery Accountability
and Transparency Board.

(2) "Recovery funds" means any funds distributed to
the State of Texas through the American Recovery and Reinvestment
Act of 2009 ("ARRA").

(3) "New jobs" means jobs created in excess of what
would have been created operating business as usual.

(4) "Distressed areas" means disaster-affected areas
as well as areas in persistent economic distress.

Sec. 327.002. SUNSET PROVISION. Unless continued in
existence by subsequent legislation, the board is abolished and
this chapter expires September 1, 2012.

Sec. 327.003. BOARD; COMPOSITION. (a) The Texas Recovery
Accountability and Transparency Board is created to provide
oversight on the expenditure of recovery funds and provide vital

1 information to the public on the expenditure of recovery funds.

2 (b) The board is composed of 11 members consisting of:

3 (1) four members appointed by the lieutenant governor,
4 consisting of:

5 (A) two members of the senate republican caucus;
6 and

7 (B) two members of the senate democratic caucus;

8 (2) four members appointed by the speaker of the house
9 of representatives, consisting of:

10 (A) two members of the house of representatives
11 republican caucus; and

12 (B) two members of the house of representatives
13 democratic caucus;

14 (3) two public members appointed by the governor; and

15 (4) the governor or the governor's designee.

16 SEC. 327.004. BOARD MEMBERS: ELIGIBILITY, VACANCY. (a) A
17 person appointed as a public member of the board must be a resident
18 of this state.

19 (b) Public members of the board must be persons who have
20 significant professional experience or persons who specialize in
21 issues relating to economic recovery and development of distressed
22 areas.

23 (c) The original appointing authority shall appoint a
24 replacement to fill any vacancy in an appointed position on the
25 board.

26 SUBCHAPTER B. POWERS AND DUTIES

27 SEC. 327.005. DUTIES; QUARTERLY REPORTS. (a) The board

1 shall:

2 (1) require each state agency that receives recovery
3 funds to submit a report at the end of each fiscal quarter. The
4 details of this report are set out in Section 327.006, Government
5 Code, as added by this Act.

6 (2) The board shall issue a report containing the
7 information described by Subsection (1) of this Section not later
8 than 30 days after receiving the reports described by that
9 Subsection. The board shall post the report on the Internet and
10 link it to the website described in Section 327.007, Government
11 Code, as added by this Act. In addition, the board shall provide a
12 paper copy of the report to the House Select Committee on Federal
13 Economic Stabilization Funding.

14 (3) The board may add additional performance measures
15 to those set out in Section 327.006, Government Code, as added by
16 this Act.

17 (4) The board may make recommendations concerning
18 interagency coordination, cross-cutting opportunities across
19 multiple units of government, and opportunities for public/private
20 partnerships for the use of recovery funds.

21 (5) The board shall adopt rules as necessary for its
22 own procedures.

23 (6) The board may appoint advisory committees to
24 advise the board.

25 SEC. 327.006. RECIPIENT AGENCY REPORTS; PERFORMANCE
26 MEASURES. (a) Beginning with the first full fiscal quarter after
27 the effective date of this Act, not later than 10 days after the end

1 of each fiscal quarter, each agency that receives recovery funds
2 from the State or a Federal agency shall submit a report to the
3 board that contains:

4 (1) the total amount of recovery funds received from
5 each source; and

6 (2) the amount of recovery funds received that were
7 expended or obligated to projects or activities; and

8 (3) a detailed list of all projects or activities for
9 which recovery funds were expended or obligated, including:

10 (A) the name of the project or activity;

11 (B) a description of the project or activity;

12 (C) an evaluation of the completion status of the
13 project or activity; and

14 (4) the level of performance of all recovery funds
15 expended or obligated on a list of specific performance measures,
16 including:

17 (A) the number of new jobs created in the state of
18 Texas;

19 (B) the number of new jobs created in small- and
20 medium-sized businesses;

21 (C) the estimated economic benefit for small- and
22 medium-sized businesses;

23 (D) the number of new jobs created in women- and
24 minority-owned businesses;

25 (E) the estimated economic benefit for women- and
26 minority-owned businesses;

27 (F) the number of new jobs created in distressed

1 areas;

2 (G) the estimated economic benefit in distressed
3 areas;

4 (H) the number of new jobs created at or above the
5 median hourly wage in Texas;

6 (I) the increase in jobs providing access to
7 employer-sponsored health insurance;

8 (J) any other performance measures promulgated
9 by the board pursuant to Subsection (a)(3), Section 327.005,
10 Government Code, as added by this Act; and

11 (5) an impact statement detailing any impact of
12 recovery funds expended or obligated on a number of energy
13 efficiency goals, including-

14 (A) the extent to which Texas electric utility
15 customers have increased access to renewable energy;

16 (B) reductions in Texas's carbon emissions
17 resulting from energy and transportation projects;

18 (C) the extent to which per capita electric usage
19 in Texas drops as a result of energy efficiency initiatives.

20 SEC. 327.007. WEBSITE. (a) The board shall establish a
21 comprehensive website that includes the reports required by
22 Subsection (a)(2), Section 327.005, Government Code, as added by
23 this Act.

24 SECTION 2. This act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.