

## **BILL ANALYSIS**

C.S.H.B. 762  
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Economic & Small Business Development  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Recent legislation provided for the regulation of disaster remediation contracts in order to prevent unscrupulous acts of disaster remediation contractors in areas under a natural disaster declaration. Under current law, only the governor can declare a natural disaster. Consequently, C.S.H.B. 762 provides for a local disaster declaration by a county judge as a means of providing political subdivisions with the same disaster remediation contract protections when a natural disaster is not severe enough to be declared by the governor.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 762 amends Section 57.001(3), Business & Commerce Code, as added by Chapter 979 (H.B. 1711), Acts of the 82nd Legislature, Regular Session, 2011, for purposes of statutory provisions relating to disaster remediation contracts, to redefine "natural disaster" to include the occurrence of widespread or severe damage, injury, or loss of life or property related to any natural cause, including fire, flood, earthquake, wind, storm, or wave action, that results in a local disaster declaration by a county judge, in addition to such an occurrence resulting in a disaster declaration by the governor, under the Texas Disaster Act of 1975.

### **EFFECTIVE DATE**

September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 762 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Section 57.001(3), Business & Commerce Code, as added by Chapter 979 (H.B. 1711), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

(3) "Natural disaster" means the occurrence of widespread or severe damage, injury, or loss of life or property related to any natural

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 57.001(3), Business & Commerce Code, as added by Chapter 979 (H.B. 1711), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

(3) "Natural disaster" means the occurrence of widespread or severe damage, injury, or loss of life or property related to any natural

cause, including fire, flood, earthquake, wind, storm, or wave action, that results in a disaster declaration by the governor or a local disaster declaration by the presiding officer of the governing body of a political subdivision under Chapter 418, Government Code.

SECTION 2. This Act takes effect September 1, 2013.

cause, including fire, flood, earthquake, wind, storm, or wave action, that results in a disaster declaration by the governor or a local disaster declaration by a county judge under Chapter 418, Government Code.

SECTION 2. Same as introduced version.