

BILL ANALYSIS

S.B. 1551
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International Trade & Intergovernmental Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to interested parties, a recent summit held in the Lower Rio Grande Valley outlined certain pressing problems facing valley residents and possible solutions to those problems. S.B. 1551 seeks to provide cities, counties, and the council of governments in the Lower Rio Grande Valley the resources needed to address the substandard living conditions in the region's impoverished colonias by means of an initiative to provide affordable housing and other services in the Lower Rio Grande Valley.

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

S.B. 1551 amends the Local Government Code to require the Lower Rio Grande Valley Development Council, in administering the Lower Rio Grande Valley Colonia and Regional Housing Development Initiative in the counties served by the development council, to employ or contract for staff to support the planning council established by the bill; to maintain on its website a list of associations representing low-income persons and colonias and all minutes and other records related to planning council meetings; and to approve the planning council's housing and colonia improvement plan. The bill establishes the planning council as a research and advisory council of the development council and requires the planning council, in carrying out its responsibilities, to provide for the maximum feasible participation of persons of low, very low, and extremely low income and colonia residents in the development of the housing and colonia improvement plan; to coordinate with local, state, and federal agencies, as needed; to conduct public meetings and hold public hearings; to develop, adopt, and submit for approval by the development council a housing and colonia improvement plan as required by the bill; and to develop and review recommendations related to meeting the region's affordable housing needs, providing colonia residents with adequate public services, and improving living conditions in colonias and low-income neighborhoods in the region.

S.B. 1551 requires the planning council, provided sufficient resources are available, to develop and adopt a housing and colonia improvement plan to address the region's affordable housing needs and the provision of adequate public services in colonias and requires the planning council, in developing and adopting the plan, to provide a recommendation for or against establishing or implementing specified assessments, agreements, plans, programs, and processes relating to the facilitation of comprehensive planning for the housing development initiative, including a recommendation for or against establishing or implementing a regional authority to administer programs implemented based on related recommendations, a colonia improvement district to facilitate comprehensive planning, and a colonia land bank.

S.B. 1551 requires the development council to appoint to the planning council from each county, any part of which is located in the Lower Rio Grande Valley, the county judge, the mayor of the

most populous municipality, an elected official from a municipality other than the most populous municipality, a colonia resident, a representative of a nonprofit organization representing colonia residents, and a person of extremely low or very low income living in an incorporated area. The bill requires at least one elected official from a municipality other than the most populous municipality in the county to be from a municipality with a population of less than 5,000. The bill authorizes the county judges, mayors, and elected officials on the planning council to designate another elected official from their respective jurisdictions to represent them at planning council meetings other than for purposes of voting for the adoption of the housing and colonia improvement plan.

S.B. 1551 makes planning council meetings subject to open meetings law and requires planning council members to receive training in the requirements of that law. The bill authorizes the planning council to hold meetings when called by the presiding officer or seven of the planning council members and sets out requirements applicable to the conduct of such meetings, including a requirement for the planning council to adopt rules that give the public a reasonable amount of time for testimony at meetings. The bill requires the planning council, before adopting the housing and colonia improvement plan and in an area that is convenient and proximate to large populations of colonia residents, to hold a public hearing in each county any part of which is located in the Lower Rio Grande Valley. The bill prohibits hearings from being held earlier than 5:30 p.m., and requires the planning council to mail a notice of the hearing in English and Spanish to any association listed on the development council website that represents low-income persons and colonias. The bill requires professional simultaneous translation from English to Spanish and from Spanish to English to be provided at the hearing.

S.B. 1551 establishes that the development council is not required to appoint an advisory council to develop and adopt the housing and colonia development plan if sufficient funding is not available and instead, in such a case, requires the development council to provide to the governor, the lieutenant governor, the speaker of the house of representatives, and the committee in each house of the legislature that has primary jurisdiction over housing matters a statement that the council is unable to implement the housing development initiative. Subject to sufficient funding, the bill requires the development council, not later than March 1, 2015, to provide to the same recipients the report and recommendations developed with regard to the housing development initiative and to make recommendations regarding additional authority needed to achieve the purposes of the initiative.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.