

BILL ANALYSIS

Senate Research Center

S.B. 1389
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Natural Resources & Economic Development
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1389 updates the Border Commerce Coordinator's enabling statute, Section 772.010 of the Government Code. Over the years this section has been amended several times, which has resulted in three different but similar Sections 772.010 in the Government Code. This has created confusion about the statutory duties of the coordinator.

S.B. 1389 cleans up the coordinator's enabling statute to remove any confusion and misunderstanding about the coordinator's duties by eliminating duplication and reenacting provisions that are similar in the three different sections, thereby improving the functions of the coordinator.

In addition to reenacting key portions of the statute, S.B. 1389 directs the coordinator to work to improve movement of commercial vehicles across the border and work with the appropriate state and federal agencies to develop initiatives to mitigate congestion and increase trade at ports of entry. The bill also authorizes the coordinator to appoint a border mayor task force that will advise the coordinator on key trade, security, and transportation-related issues important to border municipalities. The task force will meet with their counterparts in Mexico in order to increase cooperation, communication, and the flow of information, and identify problems and provide recommendations to assist the coordinator in carrying out the coordinator's statutory duties.

The Committee Substitute was developed to address a drafting oversight and clarify that mayors of municipalities along the Texas border that have sister cities in Mexico will be able to meet with the southern counterparts.

S.B. 1389 amends current law relating to the border commerce commissioner.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 772.010, Government Code, as added by Chapter 1339 (H.B. 564), Acts of the 76th Legislature, Regular Session, 1999, and amends it as follows:

Sec. 772.010. BORDER COMMERCE COORDINATOR. (a) Requires the governor to designate a border commerce coordinator in the governor's office or the office of the secretary of state as determined by the governor. Requires the coordinator to study the flow of commerce at ports of entry between this state and Mexico, including the movement of commercial vehicles across the border, and establish a plan to aid that commerce and improve the movement of those vehicles; work to identify problems associated with border truck inspections and related trade and transportation infrastructure and develop recommendations for addressing those problems; work with the appropriate state and federal agencies to develop initiatives to mitigate congestion at ports of entry; and develop recommendations designed to increase trade by attracting new business ventures, support expansion of existing and new industries, and address

workforce training needs. Makes a nonsubstantive change. Makes no further change to this subsection.

(b) Makes no change to this subsection.

(c) Requires the coordinator to work with the interagency work group established under Section 772.011 (Interagency Work Group on Border Issues), with local governments, metropolitan planning organizations, and other appropriate community organizations adjacent to the border of this state with Mexico, and with comparable entities in Mexican states adjacent to that border to address the unique planning and capacity needs of those areas. Requires the coordinator to assist those governments, organizations, and entities to identify and develop initiatives to address those needs. Requires the coordinator, before January 1 of each year, to submit to the presiding officer of each house of the legislature a report of the coordinator's activities under this subsection during the preceding year.

(d) Requires the coordinator to work with private industry and appropriate entities of Texas and the United States to require that low-sulfur fuel be sold along highways in Texas carrying increased traffic related to activities under the North American Free Trade Agreement, and work with representatives of the government of the Mexico and the governments of Mexican states bordering Texas to increase the use of low-sulfur fuel.

(e) Requires the coordinator to appoint a border mayor task force, to be named the Texas Good Neighbor Committee, consisting of the mayors from every municipality located in this state along the border between Texas and Mexico that has an adjoining sister city in Mexico. Requires the task force to:

(1) advise the coordinator on key trade, security, and transportation-related issues important to the municipalities appointed to the task force;

(2) hold quarterly meetings with mayors from Mexico to increase cooperation, communication, and the flow of information; identify problems; and recommend solutions;

(3) seek assistance and input from private sector stakeholders involved in commerce to identify issues to address; and

(4) provide recommendations to assist the coordinator in carrying out the coordinator's statutory duties.

SECTION 2. (a) Repealer: Section 772.010 (Border Commerce Coordinator), Government Code, as added by Chapter 429 (S.B. 1136), Acts of the 76th Legislature, Regular Session, 1999.

(b) Repealer: Section 3(a) (relating to the border commerce coordinator), Chapter 1215 (H.B. 925), Acts of the 79th Legislature, Regular Session, 2005, which reenacted and amended Section 772.010, Government Code, as added by Chapters 429 (S.B. 1136) and 1339 (H.B. 564), Acts of the 76th Legislature, Regular Session, 1999.

SECTION 3. Effective date: upon passage or September 1, 2015.