

By: Hinojosa, et al.

S.B. No. 1953

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas-Mexico Commission.

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

SECTION 1. The heading to Chapter 490B, Government Code, is amended to read as follows:

CHAPTER 490B. TEXAS-MEXICO [~~STRATEGIC INVESTMENT~~] COMMISSION

SECTION 2. Sections 490B.001, 490B.002, and 490B.003, Government Code, are amended to read as follows:

Sec. 490B.001. DEFINITIONS. In this chapter:

(1) "Advisory committee" means the border inspection, trade, and transportation advisory committee established under Section 490B.009.

(2) "Commission" means the Texas-Mexico [~~Strategic Investment~~] Commission.

(3) "Director" means the border affairs director.

(4) "Interagency work group" means the interagency work group on border issues established under Section 490B.008.

(5) [~~(2)~~] "Texas-Mexico border region" has the meaning assigned by Section 2056.002.

Sec. 490B.002. PURPOSE. The ongoing economic stability and growth of Texas and the improved quality of life for all Texans are dependent in part on coordination with neighboring states. Texas and the Mexican border states of Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas face common challenges in the areas of

1 infrastructure, health care, access to and availability of water,  
2 economic development and trade, security and public safety, and  
3 environmental protection. The commission will encourage a  
4 collaborative approach between Texas and neighboring Mexican  
5 states in specific areas so as to better address challenges and plan  
6 for the future.

7 Sec. 490B.003. TEXAS-MEXICO [~~STRATEGIC INVESTMENT~~]  
8 COMMISSION; MEMBERS. (a) The Texas-Mexico [~~Strategic Investment~~]  
9 Commission is established.

10 (b) The commission is composed of:

11 (1) the director [~~border commerce coordinator~~] or the  
12 director's [~~a~~] designee;

13 (2) the secretary of state [~~executive director of the~~  
14 ~~Texas Department of Transportation~~] or the secretary's [~~a~~]  
15 designee;

16 (3) one member appointed by the governor;

17 (4) one member appointed by the lieutenant governor;

18 and

19 (5) one member appointed by the speaker of the house of  
20 representatives [~~the executive administrator of the Texas Water~~  
21 ~~Development Board or a designee,~~

22 [~~(4) the commissioner of state health services or a~~  
23 ~~designee,~~

24 [~~(5) the chair of the Railroad Commission or a designee,~~  
25 and

26 [~~(6) the executive director of the Texas Commission on~~  
27 ~~Environmental Quality or a designee]~~.

1 (c) The secretary of state or the secretary's designee  
2 [~~border commerce coordinator~~] shall serve as the chair of the  
3 commission.

4 (d) To be eligible for appointment to the commission by the  
5 governor, lieutenant governor, or speaker of the house of  
6 representatives, a person must have resided in a county that  
7 borders the United Mexican States for the three years immediately  
8 preceding the date on which the person's term will begin.

9 SECTION 3. Section 490B.004, Government Code, is amended by  
10 amending Subsections (a) and (d) and adding Subsection (e) to read  
11 as follows:

12 (a) The commission shall:

13 (1) represent government agencies within the  
14 Texas-Mexico border region to help reduce regulations by improving  
15 communication and cooperation between federal, state, and local  
16 governments;

17 (2) examine trade issues between the United States and  
18 Mexico;

19 (3) study the flow of commerce at ports of entry  
20 between this state and Mexico, including the movement of commercial  
21 vehicles across the border, and establish a plan to aid that  
22 commerce and improve the movement of those vehicles;

23 (4) work with federal officials to resolve  
24 transportation issues involving infrastructure, including roads  
25 and bridges, to allow for the efficient movement of goods and people  
26 across the border between Texas and Mexico;

27 (5) work with federal officials to create a unified

1 federal agency process to streamline border crossing needs;

2 (6) identify problems involved with border truck  
3 inspections and related trade and transportation infrastructure;

4 (7) work to increase funding for the North American  
5 Development Bank to assist in the financing of water and wastewater  
6 facilities;

7 (8) explore the sale of excess electric power from  
8 Texas to Mexico;

9 (9) identify areas of environmental protection that  
10 need to be addressed cooperatively between Texas and the Mexican  
11 states;

12 (10) identify common challenges to health care on  
13 which all states can collaborate; ~~and~~

14 (11) develop recommendations, when possible, for  
15 addressing border security challenges; and

16 (12) establish and appoint committees as it considers  
17 necessary to study specific issues affecting the Texas-Mexico  
18 border region.

19 (d) The commission shall ~~may~~ meet at least once a year. In  
20 each even-numbered year, the commission shall meet for a  
21 Texas-Mexico Border Summit to be held in a county of this state that  
22 borders the United Mexican States. The commission shall invite to  
23 the summit ~~[with]~~ representatives from the Mexican states of  
24 Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas ~~[during the Border~~  
25 ~~Governors Conference]~~ to discuss issues and challenges of the  
26 Texas-Mexico border region and develop strategic collaborative  
27 approaches for addressing the challenges.

1       (e) Not later than January 1 of each odd-numbered year, the  
2 commission shall submit to the legislature its recommendations to  
3 address challenges faced by the Texas-Mexico border region.

4       SECTION 4. Chapter 490B, Government Code, is amended by  
5 adding Sections 490B.006, 490B.007, 490B.008, 490B.009, and  
6 490B.010 to read as follows:

7       Sec. 490B.006. ADMINISTRATIVE ATTACHMENT; SUPPORT; BUDGET.

8       (a) The commission is administratively attached to the Center for  
9 Border Economic and Enterprise Development established under  
10 Section 79.09, Education Code.

11       (b) The Center for Border Economic and Enterprise  
12 Development shall provide administrative support services,  
13 including human resources, budget, accounting, purchasing,  
14 payroll, information technology, and legal support services, to the  
15 commission as necessary to carry out the purposes of this chapter.

16       (c) The commission, in accordance with the rules and  
17 procedures of the Legislative Budget Board, shall prepare, approve,  
18 and submit a legislative appropriations request that is separate  
19 from the legislative appropriations request for the Center for  
20 Border Economic and Enterprise Development and that is to be used in  
21 developing the commission's budget structure. The commission shall  
22 maintain the commission's legislative appropriations request and  
23 budget structure separately from those of the center.

24       Sec. 490B.007. BORDER AFFAIRS DIRECTOR. (a) The governor  
25 shall appoint a border affairs director to serve at the will of the  
26 governor in the governor's office or in the office of the secretary  
27 of state, as determined by the governor. The director shall:

1           (1) examine trade issues between the United States,  
2 Mexico, and Canada;

3           (2) act as an ombudsman for government agencies within  
4 the Texas-Mexico border region to help reduce regulations by  
5 improving communication and cooperation between federal, state,  
6 and local governments;

7           (3) study the flow of commerce at ports of entry  
8 between this state and Mexico, including the movement of commercial  
9 vehicles across the border, and establish a plan to aid that  
10 commerce and improve the movement of those vehicles;

11           (4) work with federal officials to resolve  
12 transportation issues involving infrastructure, including roads  
13 and bridges, to allow for the efficient movement of goods and people  
14 across the border between Texas and Mexico;

15           (5) work with federal officials to create a unified  
16 federal agency process to streamline border crossing needs;

17           (6) work to increase funding for the North American  
18 Development Bank to assist in the financing of water and wastewater  
19 facilities; and

20           (7) explore the sale of excess electric power from  
21 Texas to Mexico.

22           (b) The director shall work with the interagency work group  
23 and with local governments, metropolitan planning organizations,  
24 and other appropriate community organizations adjacent to or  
25 located near the border between Texas and Mexico, and with  
26 comparable entities in Mexican states adjacent to that border, to  
27 address the unique planning and capacity needs of those areas. The

director shall assist those governments, organizations, and entities in identifying and developing initiatives to address those needs. Not later than January 1 of each odd-numbered year, the director shall submit to the presiding officer of each house of the legislature a report of the director's activities under this subsection during the preceding biennium.

(c) The director shall:

(1) 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

(2) work with representatives of the government of Mexico and the governments of those Mexican states bordering Texas to increase the use of low-sulfur fuel.

Sec. 490B.008. INTERAGENCY WORK GROUP ON BORDER ISSUES.

(a) The interagency work group on border issues is created to:

(1) develop or update a process to allow agencies to work together on issues that face border communities;

(2) discuss and coordinate programs and services offered to border communities and residents of border communities; and

(3) develop regulatory and legislative recommendations to eliminate duplication and combine program services.

(b) The interagency work group is composed of the heads of the following agencies or their designees:

- 1           (1) the Texas Department of Agriculture;  
2           (2) the Texas Department of Housing and Community  
3 Affairs;  
4           (3) the Texas Water Development Board;  
5           (4) the Texas Department of Transportation;  
6           (5) the Texas Commission on Environmental Quality;  
7           (6) the Texas Workforce Commission;  
8           (7) the Department of State Health Services;  
9           (8) the Health and Human Services Commission;  
10          (9) the General Land Office;  
11          (10) the Texas Economic Development and Tourism  
12 Office;  
13          (11) the Office of State-Federal Relations;  
14          (12) the Texas Higher Education Coordinating Board;  
15          (13) the attorney general's office;  
16          (14) the secretary of state's office;  
17          (15) the Department of Public Safety; and  
18          (16) the Railroad Commission of Texas.

19          (c) The interagency work group shall meet at least once each  
20 year to discuss border issues and to provide information showing  
21 the impact each agency has on border communities for use in  
22 developing border policy. In even-numbered years, the work group  
23 shall meet at the biennial Texas-Mexico Border Summit hosted by the  
24 commission under Section [490B.004](#)(d).

25          (d) In fulfilling its duties, the work group shall consider  
26 the effect of policies instituted by the federal government  
27 impacting the Texas-Mexico border region.



1       Sec. 490B.009. BORDER INSPECTION, TRADE, AND  
2 TRANSPORTATION ADVISORY COMMITTEE. (a) The director shall  
3 establish and appoint the members of the border inspection, trade,  
4 and transportation advisory committee. The members must include  
5 representatives of the Texas Department of Transportation, the  
6 Department of Public Safety, and the Office of State-Federal  
7 Relations and may include representatives of the United States  
8 Department of Transportation, the Federal Motor Carrier Safety  
9 Administration, and other representatives of state and federal  
10 agencies involved in border crossing issues. Chapter 2110 does not  
11 apply to the size, composition, or duration of the advisory  
12 committee.

13       (b) The director shall work with the advisory committee and  
14 the interagency work group to:

15               (1) identify problems involved with border truck  
16 inspections and related trade and transportation infrastructure;  
17 and

18               (2) develop recommendations for addressing those  
19 problems.

20       (c) The director shall work with the advisory committee and  
21 appropriate agencies of Texas, the United States, and Mexico to  
22 develop initiatives to mitigate congestion at ports of entry at the  
23 Texas-Mexico border by conducting in Mexico inspections of trucks  
24 entering Texas. In developing the initiatives, the director shall  
25 give consideration to similar initiatives proposed or implemented  
26 at the border of the United States and Canada.

27       (d) The director shall report quarterly to the presiding

officer of each house of the legislature on the findings and recommendations of the advisory committee.

Sec. 490B.010. TRADE AND COMMERCE PLAN. (a) The director shall develop, in conjunction with representatives of chambers of commerce, metropolitan planning organizations adjacent to or located near the border between Texas and Mexico, and private industry groups, and with the advice of the interagency work group, a comprehensive trade and commerce plan for the Texas-Mexico border region designed to:

(1) increase trade by attracting new business ventures;

(2) support expansion of existing industries; and

(3) address workforce training needs.

(b) The plan must cover 5-year, 10-year, and 15-year periods.

(c) The director shall work with industries and communities on both sides of the border to develop international industry cluster initiatives to capitalize on resources available in communities adjacent to each other across the border.

(d) The director shall conduct annual conferences of interested persons, working with chambers of commerce and universities of this state in the Texas-Mexico border region, and shall host those conferences at no cost to the director. The purposes of the conferences are to:

(1) make the trade and commerce plan public;

(2) report on updated findings and progress in implementing the plan; and

1           (3) develop new international industry cluster  
2 initiatives.

3           SECTION 5. Sections 411.0097(b) and (d), Government Code,  
4 as added by Chapter 693 (S.B. 293), Acts of the 79th Legislature,  
5 Regular Session, 2005, are amended to read as follows:

6           (b) To assist the department in carrying out this section,  
7 the department shall contact the border affairs director appointed  
8 ~~[commerce coordinator designated]~~ under Section 490B.007 ~~[772.010]~~  
9 and the mayors of each municipality in this state in which a port of  
10 entry for land traffic is located.

11           (d) The department, in conjunction with the border affairs  
12 director ~~[commerce coordinator]~~, shall develop short-range and  
13 long-range plans, including recommendations to increase bilateral  
14 relations with Mexico and expedite trade by mitigating delays in  
15 border crossing inspections for northbound truck traffic. In  
16 developing the plans, the department and the border affairs  
17 director ~~[coordinator]~~ shall consider information obtained from  
18 any meetings under Subsection (a). The department shall update the  
19 plan biennially.

20           SECTION 6. Section 201.114(b), Transportation Code, is  
21 amended to read as follows:

22           (b) The border affairs director appointed under Section  
23 490B.007, Government Code, ~~[coordinator]~~ shall serve on the Border  
24 Trade Advisory Committee as presiding officer. The commission  
25 shall appoint the other members of the committee, which to the  
26 extent practicable must include:

27           (1) the presiding officers, or persons designated by

1 the presiding officers, of the policy boards of metropolitan  
2 planning organizations wholly or partly in the department's Pharr,  
3 Laredo, Odessa, or El Paso transportation district;

4 (2) the person serving, or a person designated by the  
5 person serving, in the capacity of executive director of each  
6 entity governing a port of entry in this state;

7 (3) a representative each from at least two institutes  
8 or centers operated by a university in this state that conduct  
9 continuing research on transportation or trade issues; and

10 (4) the port director of the Port of Brownsville or the  
11 port director's designee.

12 SECTION 7. Sections 201.207(b) and (d), Transportation  
13 Code, are amended to read as follows:

14 (b) To assist the department in carrying out this section,  
15 the department shall contact the border affairs director appointed  
16 ~~[commerce coordinator designated]~~ under Section 490B.007  
17 ~~[772.010]~~, Government Code, and the mayors of each municipality in  
18 this state in which a port of entry for land traffic is located.

19 (d) The department, in conjunction with the border affairs  
20 director ~~[commerce coordinator]~~, shall develop short-range and  
21 long-range plans, including recommendations to increase bilateral  
22 relations with Mexico and expedite trade by mitigating delays in  
23 border crossing inspections for northbound truck traffic. In  
24 developing the plans, the department and the border affairs  
25 director ~~[coordinator]~~ shall consider information obtained from  
26 any meetings under Subsection (a). The department shall update the  
27 plan biennially.

SECTION 8. The following provisions are repealed:

(1) Section 772.010, Government Code, as added by Chapter 429 (S.B. 1136), Acts of the 76th Legislature, Regular Session, 1999;

(2) Section 772.010, Government Code, as added by Chapter 1339 (H.B. 564), Acts of the 76th Legislature, Regular Session, 1999;

(3) Section 772.010, Government Code, as reenacted and amended by Chapter 1215 (H.B. 925), Acts of the 79th Legislature, Regular Session, 2005;

(4) Sections 772.0101, 772.0102, and 772.011, Government Code; and

(5) Section 201.114(a), Transportation Code.

SECTION 9. (a) Effective September 1, 2015:

(1) the Texas-Mexico Strategic Investment Commission is abolished and the powers and duties of that commission are transferred to the Texas-Mexico Commission in accordance with Chapter 490B, Government Code, as amended by this Act; and

(2) the border commerce coordinator becomes the border affairs director in accordance with Section 490B.007, Government Code, as added by this Act.

(b) As soon as possible after the effective date of this Act, the governor, lieutenant governor, and speaker of the house of representatives shall appoint members of the Texas-Mexico Commission in accordance with Section 490B.003, Government Code, as amended by this Act.

(c) All rules of the Texas-Mexico Strategic Investment

1 Commission are continued in effect as rules of the Texas-Mexico  
2 Commission until superseded by a rule of the Texas-Mexico  
3 Commission. An activity conducted by the Texas-Mexico Strategic  
4 Investment Commission is considered to be an activity conducted by  
5 the Texas-Mexico Commission.

6 (d) A reference in another law or an administrative rule to  
7 the Texas-Mexico Strategic Investment Commission means the  
8 Texas-Mexico Commission. A reference in another law or an  
9 administrative rule to the border commerce coordinator means the  
10 border affairs director.

11 (e) All money, records, property, and equipment in the  
12 possession of the Texas-Mexico Strategic Investment Commission on  
13 September 1, 2015, shall be transferred to the possession of the  
14 Texas-Mexico Commission on September 1, 2015, or as soon as  
15 possible after that date.

16 SECTION 10. This Act takes effect September 1, 2015.