Amend **SB 799** on third reading as follows:

(1) Strike the SECTION of the bill providing an effective date and substitute the following appropriately numbered SECTION:

SECTION ____. (a) Except as otherwise provided by this Act, this Act takes effect September 1, 2019.

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill as appropriate:

SECTION ____. (a) Section 61.003(6), Education Code, is amended to read as follows:

(6) "Other agency of higher education" means The University of Texas System, System Administration; The University of Texas at El Paso [~~Western University~~] Museum; The Texas A&M University System, Administrative and General Offices; Texas A&M AgriLife Research [~~Agricultural Experiment Station~~]; Texas A&M AgriLife [~~Agricultural~~] Extension Service; Rodent and Predatory Animal Control Service (a part of the Texas A&M AgriLife [~~Agricultural~~] Extension Service); Texas A&M Engineering Experiment Station (including the Texas A&M Transportation Institute); Texas A&M Engineering Extension Service; Texas A&M Forest Service; Texas Division of Emergency Management; Texas Tech University Museum; Texas State University System, System Administration; Sam Houston Memorial Museum; Panhandle-Plains Historical Museum; Cotton Research Committee of Texas; Texas Water Resources Institute [~~of Texas~~]; Texas A&M Veterinary Medical Diagnostic Laboratory; and any other unit, division, institution, or agency which shall be so designated by statute or which may be established to operate as a component part of any public senior college or university, or which may be so classified as provided in this chapter.

(b) Section 88.001, Education Code, is amended to read as follows:

Sec. 88.001. AGENCIES AND SERVICES. The agencies and services of the Texas A&M [~~A & M~~] University System are:

(1) the Texas A&M Forest Service (see Subchapter B of this chapter);

(2) [~~the~~] Texas A&M AgriLife Research [~~Agricultural Experiment Station~~] (see Subchapter C of this chapter);

(3) the Texas A&M AgriLife [~~Agricultural~~] Extension Service, established by action of the board of directors;

(4) the Texas A&M Engineering Experiment Station, established by action of the board of directors;

(5) the Texas A&M Engineering Extension Service, established by action of the board of directors;

(6) the Texas Division of Emergency Management (see Subchapter C, Chapter 418, Government Code); and

(7) [~~(6)~~] other agencies and services that may be established by law or by action of the board of directors.

(c) Section 418.013(b), Government Code, is amended to read as follows:

(b) The emergency management council is composed of representatives of state agencies, boards, commissions, and organized volunteer groups designated by the head of each entity. At least once each biennium, the governor shall review the composition of the council and, if necessary, update or expand the participating entities.

(d) Section 418.041, Government Code, is amended to read as follows:

Sec. 418.041. ORGANIZATION. (a) The Texas Division of Emergency Management is a component [~~division~~] of The Texas A&M University System [~~the department~~].

(b) The division is managed by a chief appointed by the [~~public safety director of the department, with the approval of the~~] governor. The chief serves at the pleasure of the governor [~~public safety director~~]. The chief must possess professional training and knowledge consisting of not less than five years of managerial or strategic planning experience in matters relating to public safety, security, emergency services, and emergency response.

(c) At least once every two months, the following shall meet to coordinate efforts, prevent overlap of activities, and ensure that the state's approach to emergency management and homeland security is unified:

(1) a representative of the department;

(2) a representative of the division;

(3) [~~a representative of the governor's office of homeland security;~~

[~~(4)~~] the presiding officer of the Homeland Security Council; and

(4) [~~(5)~~] a state agency representative from the emergency management council, selected by the chair of the emergency management council.

(d) The division shall employ other coordinating and planning officers and other professional, technical, secretarial, and clerical personnel necessary to the performance of its functions.

(e) The division shall manage and staff the state operations center under an agreement with the department.

(e) Section 418.050(c), Government Code, is amended to read as follows:

(c) The division, in consultation with representatives of affected parties and local emergency management directors, shall develop a reentry credentialing process. The division shall include the credentialing process in the phased reentry plan. The department [~~Department of Public Safety of the State of Texas~~] shall provide support for the credentialing process.

(f) Section 418.051(c), Government Code, is amended to read as follows:

(c) The communications coordination group consists of members selected by the division, including representatives of:

(1) the Texas military forces;

(2) the department [~~Department of Public Safety of the State of Texas~~];

(3) the Federal Emergency Management Agency;

(4) federal agencies that comprise Emergency Support Function No. 2;

(5) the telecommunications industry, including cable service providers, as defined by Section 66.002, Utilities Code;

(6) electric utilities, as defined by Section 31.002, Utilities Code;

(7) gas utilities, as defined by Sections 101.003 and 121.001, Utilities Code;

(8) the National Guard's Joint Continental United States Communications Support Environment;

(9) the National Guard Bureau;

(10) amateur radio operator groups;

(11) the Texas A&M Forest Service;

(12) the Texas Department of Transportation;

(13) the General Land Office;

(14) the Texas A&M Engineering Extension Service [~~of The Texas A&M University System~~];

(15) the Public Utility Commission of Texas;

(16) the Railroad Commission of Texas;

(17) the Department of State Health Services;

(18) the judicial branch of state government;

(19) the Texas Association of Regional Councils;

(20) the United States Air Force Auxiliary Civil Air Patrol, Texas Wing;

(21) each trauma service area regional advisory council;

(22) state agencies, counties, and municipalities affected by the emergency, including 9-1-1 agencies; and

(23) other agencies as determined by the division.

(g) On September 1, 2019:

(1) the administration of the Texas Division of Emergency Management shall be transferred from the Department of Public Safety of the State of Texas to The Texas A&M University System;

(2) all rules, policies, procedures, and decisions of the Department of Public Safety of the State of Texas relating to the administration of the Texas Division of Emergency Management are continued in effect as rules, policies, procedures, and decisions of The Texas A&M University System until superseded by a rule or other appropriate action by The Texas A&M University System;

(3) an employee of the Texas Division of Emergency Management as operated by the Department of Public Safety of the State of Texas becomes an employee of the Texas Division of Emergency Management under The Texas A&M University System;

(4) a reference in law or administrative rule to the Department of Public Safety of the State of Texas relating to the administration of the Texas Division of Emergency Management means The Texas A&M University System; and

(5) the Department of Public Safety of the State of Texas is responsible for the employer contribution for the cost of retiree insurance for employees of the Texas Division of Emergency Management who retire from the division before September 1, 2019.

(h) Not later than June 1, 2019, the Department of Public Safety of the State of Texas and The Texas A&M University System shall enter into a memorandum of understanding relating to the transfer of the administration of the Texas Division of Emergency Management from the Department of Public Safety of the State of Texas to The Texas A&M University System as provided by this Act. The memorandum must include:

(1) a timetable and specific steps and methods for the transfer on September 1, 2019, of all powers, duties, obligations, rights, contracts, leases, records, real or personal property, and unspent and unobligated appropriations and other funds relating to the administration of the Texas Division of Emergency Management from the Department of Public Safety of the State of Texas to The Texas A&M University System;

(2) measures to ensure against any unnecessary disruption to the operation of the Texas Division of Emergency Management during the transfer process; and

(3) a provision that the terms of any memorandum of understanding entered into previously by the governor, The Texas A&M University System, the Department of Public Safety of the State of Texas, and the Texas Division of Emergency Management and related to the transfer remain in effect until the transfer is completed.

(i) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this section takes effect September 1, 2019.

SECTION _____. Subchapter C, Chapter 418, Government Code,

is amended by adding Section 418.056 to read as follows:

Sec. 418.056. DISASTER RECOVERY TASK FORCE. (a) The division shall develop a disaster recovery task force to operate throughout the long-term recovery period following natural and man-made disasters by providing specialized assistance for communities and individuals to address financial issues, available federal assistance programs, and recovery and resiliency planning to speed recovery efforts at the local level.

(b) The disaster recovery task force may include and use the resources of:

(1) any appropriate state agencies, including institutions of higher education; and

(2) organized volunteer groups.

(c) The disaster recovery task force shall develop procedures for preparing and issuing a report listing each project related to a disaster that qualifies for federal assistance. A report must be submitted to the appropriate federal agencies as soon as practicable after any disaster.

(d) Once each quarter, the disaster recovery task force shall brief members of the legislature, legislative staff, and state agency personnel on the response and recovery efforts for previous disasters and any preparation or planning for potential future hazards, threats, or disasters.

SECTION ____. Chapter 418, Government Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. DISASTER RECOVERY LOAN PROGRAM

Sec. 418.061. DEFINITIONS. In this subchapter:

(1) "Account" means the disaster recovery loan account created under Section 418.066.

(2) "Eligible political subdivision" means a county, municipality, or school district that meets the qualifications prescribed by Section 418.062.

Sec. 418.062. ELIGIBILITY FOR LOAN. A political subdivision may apply to the division for a loan under this subchapter if:

(1) the political subdivision:

(A) is located wholly or partly in an area

declared to be a disaster area by the governor or the president of the United States; and

(B) before applying to the division for a loan under this subchapter:

(i) has submitted to the division, within 15 days of the date of its adoption by the governing body of the political subdivision, the political subdivision's operating budget for the most recent fiscal year; and

(ii) has submitted an application for a loan from the Federal Emergency Management Agency's community disaster loan program;

(2) an assessment of damages due to the disaster for which the declaration was made has been conducted in the political subdivision; and

(3) the division, in consultation with the Federal Emergency Management Agency, determines that the estimated cost to rebuild the political subdivision's infrastructure damaged in the disaster is greater than 50 percent of the political subdivision's total revenue for the current year as shown in the most recent operating budget of the political subdivision submitted to the division under this section.

Sec. 418.063. DISASTER RECOVERY LOAN PROGRAM. The division by rule shall establish a loan program to use money from the account to provide short-term loans for disaster recovery projects to eligible political subdivisions.

Sec. 418.064. LOANS. (a) A loan made from the account must be subject to the following conditions:

(1) the loan must be made at or below market interest rates for a term not to exceed 10 years; and

(2) the loan proceeds must be expended by the eligible political subdivision solely for disaster recovery projects.

(b) The comptroller shall credit to the account all principal and interest payments on a loan from the account.

(c) If the term of a loan from the account exceeds two years, the state auditor shall, on the second anniversary of the date on which the eligible political subdivision received the loan, conduct a limited audit of the political subdivision to determine whether

the political subdivision has the ability to repay the loan under the terms of the loan. The division may forgive a loan made to an eligible political subdivision if the state auditor determines that the political subdivision is unable to repay the loan. The state auditor's participation under this subsection is subject to approval by the legislative audit committee for inclusion in the audit plan under Section 321.013(c).

Sec. 418.065. APPLICATION FOR LOAN. The division shall develop and implement an application process for a loan under this subchapter. At a minimum, the application must include:

(1) a description of the disaster recovery project for which the applicant is requesting the loan;

(2) an estimate of the total cost of the project;

(3) a statement of the amount of federal money that the applicant will receive for the project, or, if that information is not available on the date the applicant submits the application, an estimate of the amount of that money; and

(4) evidence that the applicant has staff, policies, and procedures in place adequate to complete the project.

Sec. 418.066. CREATION OF ACCOUNT. (a) The disaster recovery loan account is created as an account in the general revenue fund with the comptroller, to be administered by the division.

(b) Money in the account may be used only to provide short-term loans to eligible political subdivisions in the manner provided by this subchapter.

(c) The account consists of:

(1) money appropriated, credited, or transferred to the account by the legislature;

(2) money received by the comptroller for the repayment of a loan made from the account;

(3) gifts or grants contributed to the account; and

(4) interest earned on deposits and investments of the account.

Sec. 418.067. RULES. The division shall adopt rules to implement and administer this subchapter. The rules adopted by the division to implement this subchapter must include the development

of a form on which a political subdivision may electronically submit its budget to the division.

SECTION ____. The amount of $60 million is appropriated from the general revenue fund to the disaster recovery loan account for the state fiscal biennium ending August 31, 2021, for the purpose of providing short-term loans to political subdivisions affected by a disaster in the manner provided by Subchapter C-1, Chapter 418, Government Code, as added by this Act.