

BILL ANALYSIS

Senate Research Center
86R33429 AAF-D

C.S.H.B. 3668
By: Walle et al. (Creighton)
Water & Rural Affairs
5/19/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Lessons from Hurricane Harvey have illustrated the need for improvements in the food procurement process following a natural disaster and investments in food bank infrastructure for disaster preparedness. Every day, Texas food banks safely and efficiently source and distribute thousands of pounds of food in cooperation with local partner agencies and volunteers. This work perfectly positions them to respond to major disasters at a significant cost savings to the state. In the past, Texas has relied on the Federal Emergency Management Agency (FEMA) to procure food during federally declared disasters, at a significant cost to the state, as states can be assessed to a 25 percent cost share for these purchases. Food banks can procure a greater variety of food more efficiently and cost-effectively than FEMA, at a great savings to Texas. Building food banks' capital infrastructure to respond to disasters will have the added benefit of greater capacity during "blue skies," allowing them to reach more Texans in need and avoid equipment falling into disuse or disrepair. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 3668 amends current law relating to grants for disaster response by nonprofit food banks.

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. Amends Subchapter B, Chapter 418, Government Code, by adding Section 418.026, as follows:

Sec. 418.026. GRANTS FOR DISASTER RESPONSE BY NONPROFIT FOOD BANKS. (a) Defines "nonprofit food bank" for purposes of this section.

(b) Requires the Office of the Governor (governor's office), using money available for the purpose, to establish a program to provide grants to nonprofit organizations in this state for distribution to nonprofit food banks to build the capacity of the nonprofit food banks to respond to disasters.

(c) Requires a nonprofit organization, to be eligible to receive a grant under this section, to:

(1) have at least five years of experience coordinating a statewide network of nonprofit food banks and charitable organizations that distribute food to needy or low income individuals during disasters; and

(2) be a member of the Texas Voluntary Organizations Active in Disaster.

(d) Authorizes grant money awarded under this section to be used only to reimburse a nonprofit food bank for all or part of the costs incurred by the nonprofit food bank as a result of:

(1) maintaining an inventory of emergency food boxes in preparation for a disaster;

(2) purchasing, storing, and transporting food for distribution during a disaster; and

(3) purchasing capital equipment necessary to operate during a disaster, including back-up generators, mobile food pantries, trucks, meal preparation units, forklifts, technology, and other equipment.

(e) Requires the governor's office to establish procedures to administer the grant program, including a procedure for the submission of a proposal and a procedure to be used by the governor's office to evaluate a proposal.

(f) Requires the governor's office to enter into a contract that includes performance requirements with each grant recipient. Requires the governor's office to monitor and enforce the terms of the contract. Requires the contract to authorize the governor's office to recoup grant money from a grant recipient for failure of the grant recipient to comply with the terms of the contract.

(g) Authorizes the governor's office to solicit and accept gifts, grants, and donations from any source for the purpose of awarding grants under this section.

SECTION 2. Provides that the governor's office is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, the governor's office, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 3. Effective date: September 1, 2019.