86R2610 MTB-D

By:  Blanco H.B. No. 255

A BILL TO BE ENTITLED

AN ACT

relating to efforts to encourage full participation in the 2020 federal decennial census by the residents of this state, including the establishment of the Complete Count Commission.

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

SECTION 1.  SHORT TITLE. This Act may be cited as the Every Texan Counts Act.

SECTION 2.  DEFINITIONS. In this Act:

(1)  "Commission" means the Complete Count Commission created by this Act.

(2)  "Local government" means a municipality or county.

(3)  "Member" means a member of the commission.

(4)  "State agency" means a board, commission, department, office, or other agency that is in the executive branch of state government and was created by the constitution or a statute of this state.

SECTION 3.  COMMISSION. (a)  The commission is composed of the following members:

(1)  seven persons appointed by the governor;

(2)  one person appointed by the governor from a list submitted by the speaker of the house of representatives;

(3)  one person appointed by the lieutenant governor;

(4)  one person from each of the 10 most populous counties in this state, nominated by the county's respective county judge;

(5)  seven members from business, faith, and nonprofit community-based organizations, appointed by the governor, to represent the demographic, economic, and linguistic diversity of this state;

(6)  five members appointed by the secretary of state to represent traditionally hard-to-count populations, three of whom must be from counties located on the Texas-Mexico border;

(7)  if a local government has created a local complete count commission, members designated by the local commission; and

(8)  the secretary of state, who serves as the chair of the commission.

(b)  A member serves at the pleasure of the member's appointing official and vacancies shall be filled in the same manner as the initial appointment. The commission shall meet not later than the 30th day after the date initial appointments are made under Subsections (a)(1)-(6) of this section. The commission shall meet regularly as necessary at the call of the chair.

(c)  A member may not receive compensation for service on the commission, but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties. The commission may accept gifts, grants, and donations to pay for those expenses.

(d)  The commission may employ a director and assistant director on a two-thirds vote of the full membership of the commission. The director and assistant director may be compensated from money appropriated or available for that purpose.

SECTION 4.  CENSUS OUTREACH STRATEGY. (a) The commission shall develop, recommend, and assist in the administration of a census outreach strategy to encourage full participation in the 2020 federal decennial census of population required by 13 U.S.C. Section 141.

(b)  The census outreach strategy must include:

(1)  state agency initiatives to encourage participation in the 2020 federal decennial census;

(2)  the establishment and support of school-based outreach programs;

(3)  partnerships with nonprofit community-based organizations; and

(4)  a multilingual, multimedia campaign designed to ensure an accurate and complete count of this state's population.

(c)  To assist in carrying out its duties, the commission may create and appoint subcommittees as appropriate and shall solicit participation from relevant experts and practitioners involved in census issues.

(d)  The secretary of state shall:

(1)  coordinate the census outreach strategy;

(2)  provide administrative support to the commission; and

(3)  coordinate with all state agencies and constitutional officers, as well as local governments, to identify effective methods of outreach to residents of this state and to provide resources to ensure the outreach program is successful and that all residents of this state are counted.

(e)  A state agency shall inform the secretary of state of the agency's designated census coordinator and cooperate with and provide support to the commission. Other state governmental entities and local governments shall cooperate and provide all reasonable assistance to the commission.

(f)  Not later than December 31, 2019, the commission shall submit a written report to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature with its recommendations and findings, including a recommended outreach strategy for implementation for the 2020 federal decennial census.

SECTION 5.  GRANT PROGRAM. (a)  Using available funds or private donations, the governor shall establish and administer a grant program to award grants to local governments for their outreach efforts to encourage full participation in the 2020 federal decennial census of population required by 13 U.S.C. Section 141.

(b)  The governor shall adopt rules to implement and administer the grant program created under this section, including rules regarding applications by and eligibility of local governments for grants under the program. Eligibility rules must prioritize a local government that has:

(1)  established census outreach efforts; and

(2)  census tracts with traditionally hard-to-count populations within its boundaries.

(c)  The governor may accept gifts, grants, and donations for the grant program created under this section.

SECTION 6.  INITIAL APPOINTMENTS. As soon as practicable after the effective date of this Act, the appointing officials shall appoint members to the commission as provided by Section 3(a) of this Act.

SECTION 7.  ABOLISHMENT AND EXPIRATION. The commission and the grant program created under this Act are abolished and this Act expires on September 1, 2021.

SECTION 8.  EFFECTIVE DATE. This Act takes effect immediately if it 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 Act takes effect September 1, 2019.