

By: Blanco

H.B. No. 255

A BILL TO BE ENTITLED

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

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

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

8 SECTION 2. DEFINITIONS. In this Act:

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

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

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

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

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

19 (1) seven persons appointed by the governor;

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

22 (3) one person appointed by the lieutenant governor;

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

1 judge;

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

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

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

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

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

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

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

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

6 (b) The census outreach strategy must include:

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

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

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

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

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

19 (d) The secretary of state shall:

20 (1) coordinate the census outreach strategy;

21 (2) provide administrative support to the commission;

22 and

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

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

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

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

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

- 23                   (1) established census outreach efforts; and  
24                   (2) census tracts with traditionally hard-to-count  
25 populations within its boundaries.

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

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

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

8           SECTION 8. EFFECTIVE DATE. This Act takes effect  
9 immediately if it receives a vote of two-thirds of all the members  
10 elected to each house, as provided by Section 39, Article III, Texas  
11 Constitution. If this Act does not receive the vote necessary for  
12 immediate effect, this Act takes effect September 1, 2019.