

By: Virdell

H.B. No. 292

A BILL TO BE ENTITLED

AN ACT

relating to establishment of the disaster recovery fund.

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

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

SUBCHAPTER M. DISASTER RECOVERY FUND

Sec. 418.451. FINDINGS AND PURPOSE. (a) The legislature finds that natural disasters frequently result in injury to residents of this state and cause property damage and financial loss.

(b) The purpose of this subchapter is to provide compensation to residents of this state who are victims of a natural disaster when federal disaster relief does not adequately address the losses suffered by those residents.

Sec. 418.452. DEFINITIONS. In this subchapter:

(1) "Claimant" means:

(A) an individual who is a resident of this state who suffers direct personal injury, financial loss, or property damage or loss as a result of a qualifying weather event; or

(B) a person who legally assumes the obligation to pay or who voluntarily pays expenses related to the recovery of an individual described by Paragraph (A).

(2) "Fund" means the disaster recovery fund established under Section 418.453.

1           (3) "Qualifying weather event" means a natural  
2 disaster caused by severe weather conditions, including floods,  
3 hurricanes, fires, tornadoes, wind, hail, lightning, extreme heat,  
4 ice, or snow, that results in a declaration of a state of emergency  
5 or disaster in this state by the governor or a federal authority.

6           Sec. 418.453. DISASTER RECOVERY FUND. (a) The disaster  
7 recovery fund is established as a special fund in the state treasury  
8 to be administered by the division.

9           (b) The fund consists of:

10           (1) money appropriated by the legislature for deposit  
11 or transfer to the credit of the fund;

12           (2) grants or other money received from the federal  
13 government that may be used for a purpose of the fund;

14           (3) donations, gifts, or grants received by the  
15 division that may be used for a purpose of the fund;

16           (4) revenue from assessments or surcharges deposited  
17 to the credit of the fund as directed by the legislature; and

18           (5) interest earned on the money in the fund.

19           (c) Money in the fund may be appropriated to the division  
20 only to provide compensation for a purpose described by Section  
21 418.455 to an eligible claimant.

22           Sec. 418.454. ELIGIBILITY. A claimant is eligible for  
23 compensation paid from the fund if the claimant submits an  
24 application to the division for a type of compensation authorized  
25 under Section 418.455 not later than the second anniversary of the  
26 date of the qualifying weather event that forms the basis of the  
27 claim.

1       Sec. 418.455. COMPENSATION. (a) The division may, using  
2 money in the fund appropriated for that purpose, pay compensation  
3 to an eligible claimant for any of the following expenses incurred  
4 as a result of a qualifying weather event:

- 5               (1) repair or replacement of property;  
6               (2) medical expenses related to injuries sustained by  
7 the claimant;  
8               (3) temporary housing or relocation costs;  
9               (4) lost wages due to displacement or injury; or  
10              (5) other reasonable expenses directly related to  
11 recovery from the qualifying weather event.

12       (b) The division may not pay compensation to a claimant who  
13 would otherwise be eligible for the compensation if:

- 14              (1) the claimant knowingly or intentionally  
15 contributed to the injury or loss that forms the basis of the claim;  
16 or  
17              (2) the claimant has been or will be fully reimbursed  
18 for the injury or loss by insurance or another federal or state  
19 assistance program.

20       (c) The division may establish maximum compensation limits  
21 for each category of compensation authorized by this section.

22       Sec. 418.456. APPLICATION. (a) A claimant must submit an  
23 application to the division in the form and manner prescribed by the  
24 division.

25       (b) The application must include at least the following  
26 information:

- 27              (1) proof of the claimant's residency;

1           (2) documentation of losses or expenses that are the  
2 subject of the application; and

3           (3) evidence that the loss or injury is the direct  
4 result of a qualifying weather event.

5           Sec. 418.457. PAYMENT OF CLAIM; LIMITATIONS. (a) The  
6 division shall approve or deny a claim not later than the 60th day  
7 after the date the division receives a completed application from a  
8 claimant.

9           (b) The division is not required to pay a claim if  
10 sufficient money is not appropriated by the legislature to pay the  
11 claim.

12           (c) The division may prioritize the payment of certain  
13 claims based on demonstrated need and the severity of the effects of  
14 the qualifying weather event.

15           Sec. 418.458. RULES. The division may adopt rules as  
16 necessary for carrying out the purposes of this subchapter.

17           SECTION 2. This Act takes effect January 1, 2026.