

BILL ANALYSIS

C.S.S.B. 5
By: Huffman
Disaster Preparedness & Flooding, Select
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 89th Legislature, 1st Called Session, the House Select Committee on Disaster Preparedness & Flooding held several hearings investigating the historic July 2025 flooding in Central Texas. The bill sponsor has informed the committee that this investigation revealed several issues facing the state and that both responding to this disaster and ensuring better disaster preparedness in the future require making appropriations for those purposes. C.S.S.B. 5 seeks to address these issues by making funding available to help Central Texas communities recover from the devastating July 2025 floods and to strengthen the state's defenses against future extreme weather.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 5 makes supplemental appropriations for disaster relief and preparedness and gives direction and adjustment authority regarding those appropriations.

Trusted Programs Within the Governor's Office: FEMA Match and Disaster Funds

C.S.S.B. 5 appropriates \$240,000,000 from the Economic Stabilization Fund (ESF), otherwise known as the Rainy Day Fund, to the Trusted Programs within the governor's office for the two-year period beginning on the bill's effective date to be used for the following purposes:

- to match federal money received related to disaster response, relief, and recovery; and
- for the disaster needs of the state in a manner consistent with Strategy A.1.1, Disaster Funds, as listed in Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), and Chapter 1185 (S.B. 1), Acts of the 89th Legislature, Regular Session, 2025 (the General Appropriations Act).

Trusted Programs Within the Governor's Office: Local Grants

C.S.S.B. 5 appropriates \$50,000,000 from the ESF to the Trusted Programs within the governor's office for the two-year period beginning on the bill's effective date to be used for the purpose of making grants to assist counties, municipalities, or other local governments operating within Bandera, Bexar, Burnet, Caldwell, Coke, Comal, Concho, Edwards, Gillespie, Guadalupe, Hamilton, Kendall, Kerr, Kimble, Kinney, Lampasas, Llano, Mason, Maverick,

McCulloch, Menard, Real, Reeves, San Saba, Schleicher, Sutton, Tom Green, Travis, Uvalde, or Williamson County, as provided by the governor's declaration of disaster on July 4, 2025, regarding a heavy rainfall and flooding event and the subsequent amendments to that declaration, in establishing and implementing a system of flood warning sirens and rain gauges and purchasing other related equipment.

Trusted Programs Within the Governor's Office: Meteorological Forecasting

C.S.S.B. 5 appropriates \$28,000,000 from the ESF to the Trusted Programs within the governor's office for the two-year period beginning on the bill's effective date to be used for the purpose of providing disaster preparedness grants to improve meteorological forecasting, enhance weather intelligence and forecasting accuracy, and improve flood management and timeliness of flood warnings in the Texas Hill Country through high resolution integrated weather solutions.

Contingent Appropriations: Interoperable Emergency Communications

C.S.S.B. 5, contingent on the enactment of H.B. 3 or similar legislation of the 89th Legislature, 2nd Called Session, 2025, relating to the interoperability of emergency communication equipment and infrastructure in Texas, including the creation and operation of the Texas Interoperability Council, a grant program administered by the council, and the purchase of certain public safety radio communication systems, appropriates \$50,000,000 from the ESF to the Texas Interoperability Council for use by the council during the two-year period beginning on the bill's effective date to implement the provisions of that legislation. Contingent on the failure to enact such legislation, the bill appropriates the following amounts:

- \$50,000,000 from the ESF to the comptroller of public accounts for immediate deposit to the emergency radio infrastructure account number 5153; and
- \$50,000,000 from the emergency radio infrastructure account number 5153 to the Trusted Programs within the governor's office to be used during the two-year period beginning on the bill's effective date for the governor's interoperable radio communications program in accordance with applicable state law.

Limitation, Reporting, and Transfer Provisions of General Appropriations Acts Apply

C.S.S.B. 5 establishes that, unless explicitly stated otherwise, the provisions relating to limitations, reporting, or transfer of Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), and Chapter 1185 (S.B. 1), Acts of the 89th Legislature, Regular Session, 2025 (the General Appropriations Act), apply to the appropriations made by the bill.

EFFECTIVE DATE

On the later of the earliest date on which the bill may take effect under state law relating to gubernatorial action regarding bills or September 1, 2025, contingent on approval by two-thirds of the members present in each house of the legislature.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 5 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute increases from \$200,000,000, as in the engrossed, to \$240,000,000, the amount appropriated from the ESF to the Trusted Programs within the governor's office to be used to match federal money received related to disaster response, relief, and recovery and for the

disaster needs of the state in a manner consistent with Strategy A.1.1, Disaster Funds as listed in the 2023 and 2025 General Appropriations Acts.

Both the engrossed and the substitute appropriate \$50,000,000 from the ESF to the Trusteed Programs within the governor's office to be used for the purpose of making grants to assist the applicable counties, municipalities, or other local governments in establishing and implementing a system of flood warning sirens and specified gauges, and purchasing other related equipment. However, the engrossed specified that the system consists of flood warning sirens and flood gauges, whereas the engrossed specifies that the system consists of flood warning sirens and rain gauges.

The substitute increases from \$24,000,000, as in the engrossed, to \$28,000,000, the amount appropriated from the ESF to the Trusteed Programs within the governor's office for the purpose of providing certain disaster preparedness grants. Whereas both the engrossed and the substitute establish that the purpose of that those grants is to improve meteorological forecasting, enhance weather intelligence and forecasting accuracy, and improve flood management and timeliness of flood warnings, the versions differ as follows:

- the engrossed specified that the applicable grants are grants for enhanced atmospheric measurement and modeling techniques, whereas the substitute does not make that specification; and
- the substitute specifies that the purpose of the grants is to improve meteorological forecasting, enhance weather intelligence and forecasting accuracy, and improve flood management and timeliness of flood warnings specifically in the Texas Hill Country through high resolution integrated weather solutions, whereas the engrossed did not make that specification.

The substitute includes provisions absent from the engrossed that do the following:

- contingent on the enactment of H.B. 3 or similar legislation of the 89th Legislature, 2nd Called Session, 2025, relating to interoperable emergency communications and infrastructure in Texas, appropriate \$50,000,000 from the ESF to the Texas Interoperability Council for use by the council to implement the provisions of that legislation; and
- contingent on the failure to enact such legislation, appropriate other specified amounts from the ESF to the comptroller and from the emergency radio infrastructure account number 5153 to the Trusteed Programs within the governor's office.

The substitute omits a provision present in the engrossed that appropriated \$20,000,000 from the ESF to the Trusteed Programs within the governor's office for the two-year period beginning on the bill's effective date to be used for the purpose of providing grants to the Harris Fort Bend Emergency Services District No. 100 for a swift water training facility for operation and rescue to prepare first responders.