

AN ACT

relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

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

SECTION 1. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.021 to read as follows:

Sec. 405.021. REPORT ON STATE-FUNDED PROJECTS SERVING COLONIAS. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) Based on information provided under Subsections (c) and (d), the secretary of state shall establish and maintain a classification system that allows the secretary of state to track the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias.

(c) The secretary of state shall compile information received from the Office of Rural Community Affairs, the Texas Water Development Board, the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered

1 appropriate by the secretary of state for purposes of the  
2 classification system.

3 (d) The secretary of state shall compile information on  
4 colonias that is received from the colonia ombudsmen under Section  
5 775.004.

6 (e) The secretary of state shall:

7 (1) prepare a report on the progress of state-funded  
8 projects in providing water or wastewater services, paved roads,  
9 and other assistance to colonias; and

10 (2) submit the report to the presiding officer of each  
11 house of the legislature not later than December 1 of each  
12 even-numbered year.

13 (f) The report to the legislature must include a list of  
14 colonias with the highest health risk to colonia residents, based  
15 on factors identified by the secretary of state.

16 (g) In conjunction with the establishment of the  
17 classification system required by this section, the secretary of  
18 state shall establish and maintain a statewide system for  
19 identifying colonias.

20 (h) The secretary of state may contract with a third party  
21 to develop the classification system or the identification system  
22 or to compile or maintain the relevant information required by this  
23 section.

24 SECTION 2. Subchapter C, Chapter 487, Government Code, is  
25 amended by adding Section 487.060 to read as follows:

26 Sec. 487.060. REPORT TO SECRETARY OF STATE. (a) In this  
27 section, "colonia" means a geographic area that:

1           (1) is an economically distressed area as defined by  
2 Section 17.921, Water Code; and

3           (2) is located in a county any part of which is within  
4 62 miles of an international border.

5           (b) To assist the secretary of state in preparing the report  
6 required under Section 405.021, the office on a quarterly basis  
7 shall provide a report to the secretary of state detailing any  
8 projects funded by the office that serve colonias by providing  
9 water or wastewater services, paved roads, or other assistance.

10          (c) The report must include:

11           (1) a description of any relevant projects;  
12           (2) the location of each project;  
13           (3) the number of colonia residents served by each  
14 project;

15           (4) the cost or anticipated cost of each project;  
16           (5) a statement of whether each project is completed  
17 and, if not, the expected completion date of the project; and

18           (6) any other information, as determined appropriate  
19 by the secretary of state.

20          SECTION 3. Chapter 775, Government Code, is amended by  
21 amending Section 775.003 and adding Section 775.004 to read as  
22 follows:

23          Sec. 775.003. COLONIA OMBUDSMAN PROGRAM. The colonia  
24 initiatives coordinator shall ~~may~~ appoint a colonia ombudsman in  
25 each of the six border counties that the coordinator determines  
26 have the largest colonia populations.

27          Sec. 775.004. INFORMATION ON COLONIAS. (a) The colonia

1 ombudsmen shall gather information about the colonias in the  
2 counties for which the ombudsmen were appointed and provide the  
3 information to the secretary of state, to assist the secretary of  
4 state in preparing the report required under Section 405.021.

5 (b) To the extent possible, the ombudsmen shall gather  
6 information regarding:

- 7 (1) the platting of each colonia;  
8 (2) the infrastructure of each colonia;  
9 (3) the availability of health care services;  
10 (4) the availability of financial assistance; and  
11 (5) any other appropriate topic as requested by the  
12 secretary of state.

13 (c) The ombudsmen shall provide the information to the  
14 secretary of state not later than September 1 of each even-numbered  
15 year.

16 SECTION 4. Subchapter D, Chapter 2306, Government Code, is  
17 amended by adding Section 2306.083 to read as follows:

18 Sec. 2306.083. REPORT TO SECRETARY OF STATE. (a) In this  
19 section, "colonia" means a geographic area that:

- 20 (1) is an economically distressed area as defined by  
21 Section 17.921, Water Code; and  
22 (2) is located in a county any part of which is within  
23 62 miles of an international border.

24 (b) To assist the secretary of state in preparing the report  
25 required under Section 405.021, the board on a quarterly basis  
26 shall provide a report to the secretary of state detailing any  
27 projects funded by the department that provide assistance to

1 colonias.

2 (c) The report must include:

3 (1) a description of any relevant projects;

4 (2) the location of each project;

5 (3) the number of colonia residents served by each  
6 project;

7 (4) the cost or anticipated cost of each project;

8 (5) a statement of whether each project is completed  
9 and, if not, the expected completion date of the project; and

10 (6) any other information, as determined appropriate  
11 by the secretary of state.

12 SECTION 5. Subchapter B, Chapter 1001, Health and Safety  
13 Code, is amended by adding Section 1001.033 to read as follows:

14 Sec. 1001.033. REPORT TO SECRETARY OF STATE. (a) In this  
15 section, "colonia" means a geographic area that:

16 (1) is an economically distressed area as defined by  
17 Section 17.921, Water Code; and

18 (2) is located in a county any part of which is within  
19 62 miles of an international border.

20 (b) To assist the secretary of state in preparing the report  
21 required under Section 405.021, Government Code, the commissioner  
22 on a quarterly basis shall provide a report to the secretary of  
23 state detailing any projects funded by the department that provide  
24 assistance to colonias.

25 (c) The report must include:

26 (1) a description of any relevant projects;

27 (2) the location of each project;

- (3) the number of colonia residents served by each project;
- (4) the cost or anticipated cost of each project;
- (5) a statement of whether each project is completed and, if not, the expected completion date of the project; and
- (6) any other information, as determined appropriate by the secretary of state.

SECTION 6. Subchapter C, Chapter 201, Transportation Code, is amended by adding Section 201.116 to read as follows:

Sec. 201.116. REPORT TO SECRETARY OF STATE. (a) In this section, "colonia" means a geographic area that:

(1) is an economically distressed area as defined by Section 17.921, Water Code; and

(2) is located in a county any part of which is within 62 miles of an international border.

(b) To assist the secretary of state in preparing the report required under Section 405.021, Government Code, the commission on a quarterly basis shall provide a report to the secretary of state detailing any projects funded by the department that serve colonias by providing paved roads or other assistance.

(c) The report must include:

- (1) a description of any relevant projects;
- (2) the location of each project;
- (3) the number of colonia residents served by each project;
- (4) the cost or anticipated cost of each project;
- (5) a statement of whether each project is completed

1 and, if not, the expected completion date of the project; and

2 (6) any other information, as determined appropriate  
3 by the secretary of state.

4 SECTION 7. Subchapter E, Chapter 6, Water Code, is amended  
5 by adding Section 6.1565 to read as follows:

6 Sec. 6.1565. REPORT TO SECRETARY OF STATE. (a) In this  
7 section, "colonia" means a geographic area that:

8 (1) is an economically distressed area as defined by  
9 Section 17.921; and

10 (2) is located in a county any part of which is within  
11 62 miles of an international border.

12 (b) To assist the secretary of state in preparing the report  
13 required under Section 405.021, Government Code, the board on a  
14 quarterly basis shall provide a report to the secretary of state  
15 detailing any projects funded by the board that serve colonias by  
16 providing water or wastewater services or other assistance.

17 (c) The report must include:

18 (1) a description of any relevant projects;  
19 (2) the location of each project;  
20 (3) the number of colonia residents served by each  
21 project;

22 (4) the cost or anticipated cost of each project;  
23 (5) a statement of whether each project is completed  
24 and, if not, the expected completion date of the project; and

25 (6) any other information, as determined appropriate  
26 by the secretary of state.

27 SECTION 8. This Act takes effect September 1, 2005.

David NeuhorstPresident of the SenateJim CusickSpeaker of the House

I hereby certify that S.B. No. 827 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 29, Nays 0. \_\_\_\_\_

Latey SpawSecretary of the Senate

I hereby certify that S.B. No. 827 passed the House, with amendment, on May 25, 2005, by a non-record vote. \_\_\_\_\_

Robert HaneyChief Clerk of the House

Approved:

17 JUNE '05DateRick PerryGovernor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:10 PM O'CLOCK,  
JUN 17 2005  
Roger Williams  
Secretary of State