

AN ACT

relating to required activities and limits on the amounts of state financial assistance for which regional planning commissions may be eligible.

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

SECTION 1. Section 391.012, Local Government Code, is amended to read as follows:

Sec. 391.012. STATE FINANCIAL ASSISTANCE. (a) To qualify for state financial assistance, a commission must:

(1) have funds available annually from sources other than federal or state governments equal to or greater than half of the state financial assistance for which the commission applies;

(2) comply with the regulations of the agency responsible for administering this chapter;

(3) offer membership in the commission to all counties and municipalities included in the state planning region [~~ex subregion~~];

(4) include any combination of counties or municipalities having a combined population equal to or greater than 60 percent of the population of the state planning region [~~ex subregion~~];

(5) include at least one full county;

(6) encompass an area that is economically and geographically interrelated and forms a logical planning region;

1 and

2 (7) be engaged in a regional [~~comprehensive~~  
3 ~~development~~] planning process.

4 (b) Within funds available and in accordance with rules  
5 issued by the office of the governor, a commission may use state  
6 financial assistance to:

7 (1) promote intergovernmental cooperation by  
8 coordinating regional plans and programs with member governments,  
9 nonmember governments, state agencies which impact the region, and,  
10 where state agencies have regional office structures, state agency  
11 regional offices;

12 (2) function as a regional review agency under the  
13 Texas Review and Comment System pursuant to state and federal  
14 statutes and regulations;

15 (3) leverage commission dues, local funds, and state  
16 funds to obtain maximum federal funding assistance and private  
17 funding for the state and the region;

18 (4) provide assistance to local governments;

19 (5) assist state agencies and organizations in  
20 developing local and regional input for state plans, in planning  
21 for the successful implementation of state programs at the regional  
22 level as required in Section 391.009(c), in preparing for and  
23 conducting state-sponsored hearings and public meetings, and in  
24 disseminating state-generated information and educational  
25 materials; and

26 (6) provide assistance to state agencies and  
27 organizations in developing, implementing, and assessing state

1 programs and services within the region as needed [~~A comprehensive~~  
 2 ~~development planning process must assess the needs and resources of~~  
 3 ~~a region, formulate goals, objectives, policies and standards to~~  
 4 ~~guide the long range physical, economic, and human resource~~  
 5 ~~development of a region, and prepare plans and programs that:~~

6 [~~(1) identify alternative courses of action and the~~  
 7 ~~special and functional relationships among the activities to be~~  
 8 ~~carried out,~~

9 [~~(2) specify the appropriate ordering in time of~~  
 10 ~~activities,~~

11 [~~(3) take into account other relevant factors~~  
 12 ~~affecting the achievement of the desired development of the region,~~

13 [~~(4) provide an overall framework and guide for the~~  
 14 ~~preparation of function and project development plans,~~

15 [~~(5) make recommendations for long range programming~~  
 16 ~~and financing of capital projects and facilities that are of mutual~~  
 17 ~~concern to two or more participating governmental units, and~~

18 [~~(6) make other appropriate recommendations].~~

19 (c) A commission that qualifies for state financial  
 20 assistance is eligible annually for an [~~a maximum~~] amount  
 21 determined as follows [~~of~~]:

22 (1) [~~\$10,000 base grant,~~

23 [~~(2) an additional~~] \$1,000 for each dues-paying member  
 24 county; [~~and~~]

25 (2) [~~(3)~~] an additional 10 cents per capita for the  
 26 population of dues-paying member counties and municipalities; and

27 (3) the amount necessary to assure that the total

1 amount available to the commission is no less than \$50,000.

2 (d) If state appropriations are more than the amount  
3 necessary to fund the level of financial assistance generated by  
4 this formula, the governor shall increase the funding for which  
5 each commission is eligible in proportion to the amount it would  
6 have been eligible to receive in Subsection (c) [~~The minimum amount~~  
7 of annual state financial assistance for which a commission may  
8 apply is \$15,000].

9 (e) If state appropriations are less than the amount  
10 necessary to fund the level of financial assistance generated by  
11 the formula in Subsection (c) above:

12 (1) No commission shall receive less than annual  
13 financial assistance of \$50,000, as long as financial assistance  
14 available to all commissions remains at or above the level of  
15 assistance allocated in fiscal year 2003.

16 (2) If available annual financial assistance is less  
17 than the amount allocated in fiscal year 2003, assistance to all  
18 commissions shall be reduced proportionally from the assistance  
19 they would have received at the fiscal year 2003 funding level.

20 (f) For the purposes of this section, the population of a  
21 county is the population outside all dues-paying member  
22 municipalities.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2003.

David Newkirk

President of the Senate

Jim Cullum

Speaker of the House

I certify that H.B. No. 3074 was passed by the House on May 2, 2003, by the following vote: Yeas 126, Nays 0, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 3074 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Darcy Shaw  
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:30 PM O'CLOCK

Ann Shea  
Secretary of State