

BILL ANALYSIS

Senate Research Center
85R11288 JAM-D

S.B. 1269
By: Miles
Agriculture, Water & Rural Affairs
3/30/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Create task force/initiate flood planning infrastructure need study for Harris and Galveston Counties:

- Housed at the University of Houston's (UH's) Hobby School of Public Affairs with support from the UH Cullen College of Engineering.
- Would include a taskforce (including one appointment each from the governor, lieutenant governor, and speaker of the house of representatives, two from the Hobby School, two from the Texas Southern University Barbara-Jordan/Mickey Leland School, one from the Houston mayor's office, one from Harris County, two others at large appointed by Sen. Miles and House sponsor (one each).
- Report and recommendations due December 1, 2018; Sunset January 1, 2019.
- Budget/contingency rider required.

Background

- The American Society of Civil Engineers (ASCE) gave Texas a “D” on flood control on its latest infrastructure report card.
- According to the Texas Water Development Board (TWDB), the last study found related to Harris/Galveston Counties was a 1992 study for Galveston County. They also found a 2000 study for the Lake Houston Watershed.
- The April 2016 Houston flood cost nearly \$2 billion in economic impact. Estimates suggest that the economic impact of the May 2015 flooding in Houston ranged between \$200 and \$550 million. In addition, the economic cost of Hurricane Ike (2008) was \$154 billion and \$6.7 billion for Tropical Storm Allison (2001).
- “Texas ranks among the worst of any state for flood-control spending.” According to the Texas section of the ASCE, the state is second only to Louisiana in dollars paid out in flood claims.
- Three Texas agencies are responsible for flood mitigation across the state: the Governor’s Division of Emergency Management, the Texas Commission on Environmental Quality, and the TWDB. But none of these has true authority to devise or implement flood-control policies for the state’s 23 river basins,” according to the Texas ASCE.
- Certain political subdivisions are eligible to apply for Texas Water Development Grants for flood protection planning. Those grants are limited to 50 percent of the total cost of the project, except that the board may supply up to 75 percent of the total cost to political subdivisions which have unemployment rates exceeding the state average by 50 percent or more, and which have per capita income which is 65 percent or less of the state average.

- TWDB is requesting \$12,458,000 for flood warning, mitigation and planning. The flood plan portion is \$760,000 (\$160,000 for a full-time equivalent and \$600,000 for a contract to survey flood mitigation tasks across the state). With this funding TWDB plans to:
 - Provide a solid background of flood, flood issues, and local, state, and federal flood programs in Texas
 - Summarize flood mitigation costs across the state
 - Solicit stakeholder recommendations on what future statewide planning and financing efforts should look like.
- In 2016 TWDB received \$42.7 million in federal funding simply to pay for flood mitigation—acquisition and demolition.

Cost: \$1,500,000 (to apply research specifically to Harris/Galveston).

As proposed, S.B. 1269 amends current law relating to the establishment of a task force to conduct a comprehensive study on flood control infrastructure for Harris and Galveston Counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Defines "task force" as the task on flood control infrastructure.

(b) Provides that the task force is established to conduct a comprehensive flood control infrastructure study for Harris and Galveston Counties. Requires that the study assess the existing infrastructure in Harris and Galveston Counties with respect to flood control and identify infrastructure improvements necessary to mitigate flooding in those counties.

(c) Sets forth the composition of the task force.

(d) Provides that one member appointed under Subsection (c)(4) (relating to the appointment of representatives of the University of Houston (UH) of this section serves as the presiding officer of the task force, and one member appointed under Subsection (c)(5) (relating to the appointment of representatives of Texas Southern University) of this section serves as the assistant presiding officer.

(e) Requires that the Hobby School of Public Affairs and the Cullen College of Engineering of UH provide necessary staff and administrative support to the task force.

(f) Requires the task force to prepare a report that includes a description of the activities of the task force; the findings and recommendations of the task force, including any proposed policy recommendations; and any proposals for legislation or other matters the task force considers appropriate.

(g) Requires the task force, not later than December 1, 2018, to submit the prepared report to certain persons and entities.

(h) Provides that the task force is abolished and this Act expires January 1, 2019.

SECTION 2. Provides that this Act does not make an appropriation. Provides that a provision of this Act that imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

SECTION 3. Effective date: upon passage or September 1, 2017.