

BILL ANALYSIS

Senate Research Center
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S.B. 1538
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Agriculture, Water & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 1538 is to expand the allowable uses of funds in the floodplain management account. The bill expands activities that funds from the account can be used for, to include: (1) the collection and analysis of flood-related information; (2) flood planning, protection, mitigation, and adaptation; and (3) the provision of flood-related information to the public through educational or outreach programs.

H.B. 6, 84th Legislature, Regular Session, 2015, recreated the floodplain management account as a special fund in the state treasury outside the general revenue fund. The Texas Water Development Board (TWDB) has made an exceptional item request this session that funds in the floodplain management account be appropriated to TWDB for the purposes of flood protection and related purposes and activities. This request was approved; however, not all the initiatives in TWDB's exceptional item request are within the existing allowable uses of the floodplain management account.

This bill allows activities for data collection and analysis, flood planning, protection, mitigation, and adaptation, and outreach efforts to be conducted by using funds from the Floodplain Management Account. Specifically, this means that TWDB would be able to fund flood gauges and financial assistance to install early-warning systems, both of which are critical to our local communities.

S.B. 1538 continues the work that TWDB started with the emergency funding from the governor's office in December 2015. To ensure this, statutory change to expand the allowable uses of the floodplain management account is needed.

As proposed, S.B. 1538 amends current law relating to the permissible uses of the floodplain management account.

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. Amends Section 16.3161(c), Water Code, to authorize the Texas Water Development Board (TWDB) to use the floodplain management account to fund the performance of the TWDB's functions under Section 16.316 (Coordination of Local, State, and Federal Programs by Board) or any other activities related to the collection and analysis of flood-related information; flood planning, protection, mitigation, or adaptation; or the provision of flood-related information to the public through educational or outreach programs.

SECTION 2. Effective date: September 1, 2017.