

**SUBJECT:** Identifying and tracking state-funded projects that benefit colonias

**COMMITTEE:** Border and International Affairs — favorable, without amendment

**VOTE:** 7 ayes — T. King, Frost, Castro, Hardcastle, Hernandez, Merritt, Picket  
0 nays

**SENATE VOTE:** On final passage, March 28 — 30-0, on Local and Uncontested Calendar

**WITNESSES:** For — None  
Against — None  
  
On — Kevin J. Ward, Texas Water Development Board; (*Registered, but did not testify*: Homero Cabello, Jr., Director Office of Colonia Initiatives, Texas Department of Housing and Community Affairs; Leonard Olson, Texas Commission on Environmental Quality)

**BACKGROUND:** In 2005, the 79th Legislature enacted SB 827 by Zaffirini, which established a statewide classification system to track the progress of state-funded projects in *colonia* areas to assist the state in addressing the challenges presented by colonias — low-income communities in unincorporated subdivisions that lack paved roads and basic services such as water, wastewater treatment, and electricity.

The secretary of state is required to maintain a classification system that allows tracking of state funded projects for providing water, wastewater services, paving roads, and other assistance. Agencies reporting to the secretary of state include: the Office of Rural Community Affairs, the Texas Water Development Board (TWDB), the Texas Transportation Commission, the Texas Department of Housing and Community Affairs, the Department of State Health Services, and any other agency considered appropriate by the secretary of state. Each agency provides a quarterly report to the secretary of state detailing the projects it funds that serve colonias.

Agency reports would have to include:

- a description of any relevant projects;
- the location of each project;
- the number of colonia residents served by each project;
- costs or anticipated costs of each project;
- a statement of when each project is to be completed; and
- any other information, as determined appropriate by the secretary of state.

The classification system requires the appointment of a colonia ombuds person in each of the six border counties that the Coordinator of Colonia Initiatives determines have the largest colonia populations and any additional county of which any part is within 100 miles of the Mexican border and which contains the majority of the area of a municipality of 250,000 or more (Nueces County).

Ombudspersons would have to report to the secretary of state no later than September 1 of each even-numbered year.

No later than December 1 of each even-numbered year, the secretary of state must compile all information and report to the Legislature on the progress of colonia state-funded projects.

**DIGEST:**

SB 99 would expand the statewide colonia project tracking system.

It would amend the definition of “colonia” to mean a geographic area:

- in a county any part of which is within 62 miles of the Mexican border;
- in which a residential subdivision was located on June 1, 2005;
- in an economically distressed area with an inadequate water supply and sewer services where financial resources are not sufficient to provide adequate water and sewer services; and
- in which 11 or more dwellings are located in close proximity to each other in a neighborhood or community.

To the organizations required to report to the secretary of state, the bill would add the Texas Commission on Environmental Quality (TCEQ), the Health and Human Services Commission, the Texas Cooperative

Extension, councils of government, and institutions of higher education that receive state funding to assist colonias

Agencies would be required to report exact amounts rather than general costs of projects. Before distributing any project funds, an agency would have to require an applicant to submit a colonia classification number issued by the secretary of state.

An institution of higher education that had a program in the area of community, rural, or urban development would be required to create partnerships with governmental agencies and counties to implement programs, policies, and strategies to develop alternative technologies to assist colonias.

Under the bill, the secretary of state, with the assistance of the Office of the Attorney General, would prepare the progress report, and reporting by December 1 of each even-numbered year would be conditioned upon whether funds specifically were appropriated for the purpose of preparing and submitting the report. If funds were not appropriated, the report would be published on December 1 of every fourth year, beginning in 2010.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

SB 99 would expand the tracking and reporting provisions regarding state agency assistance to colonias in SB 827, enacted in 2005. The bill would provide a comprehensive road map that lawmakers need to identify how state monies are used for colonia projects, including the exact amount per project, while providing reliable demographic data to assist state agencies in developing programs to address the needs of colonia residents.

The limited supply of adequate, affordable housing in cities and rural areas along the Texas-Mexico border has contributed to the development of new colonias and the expansion of existing ones. This continued growth has challenged local, state, and federal governments to seek ways to provide basic services to these colonias. Local public funds and other resources often are limited and insufficient to meet the demand. SB 99 would build upon the current classification and tracking system to improve and increase access to state services for colonia residents, ranging from basic utilities to health care.

OPPONENTS  
SAY:

No apparent opposition.