

SUBJECT: Housing recovery plans for natural disasters

COMMITTEE: Land and Resource Management — favorable, without amendment

VOTE: 4 ayes — Deshotel, E. Thompson, Cyrier, Sanford
0 nays
3 absent — Bell, Krause, Lucio

SENATE VOTE: On final passage, May 11 — 27-4 (Burton, Campbell, Hall, Huffines)

WITNESSES: No public hearing

BACKGROUND: The Federal Emergency Management Agency (FEMA) coordinates government-wide relief efforts during natural or man-made disasters. FEMA is designed to bring an orderly and systemic means of federal natural disaster assistance for state and local governments in carrying out their responsibilities to aid citizens.

The U.S. Department of Housing and Urban Development (HUD) provides flexible grants to help cities, counties, and states recover from disasters declared by the president. In response to such a disaster, Congress may appropriate additional funding for the Community Development Block Grant program as disaster recovery grants to rebuild affected areas.

Government Code, ch. 418, establishes the Texas Disaster Act of 1975, which provides services related to disaster relief, including an emergency management system embodying all aspects of pre-disaster preparedness and post-disaster relief.

DIGEST: SB 1376 would establish a state process for the administration and funding for the rapid and efficient construction of permanent replacement housing following a natural disaster using a plan developed by a local government with input from a variety of public and private sources.

SB 1376 would require the General Land Office (GLO), or another state agency designated by the governor, to administer federal and state funds appropriated for long-term natural disaster recovery. GLO, or the agency, would be required to:

- collaborate with the Texas Division of Emergency Management and FEMA to secure housing reimbursements for areas affected by natural disasters;
- seek prior approval from FEMA and HUD for the immediate implementation of a governor-approved local housing recovery plan if a disaster occurred; and
- maintain adequate staffing and adopt necessary rules to implement duties relating to long-term natural disaster recovery.

A local government could develop and adopt a local housing recovery plan, with input from stakeholders in the community and neighboring local governments, for the rapid construction of permanent replacement housing following a natural disaster.

A local government recovery plan could be submitted to the Hazard Reduction and Recovery Center at Texas A&M University to receive certification. This plan would have to meet certain criteria specified in the bill in order to be certified. If the center determined the plan did not satisfy these criteria, it would identify the plan's deficiencies and assist the local government in revising the plan to meet the criteria.

The center would provide training to local governments and community-based organizations to develop a plan. The training would include certain information related to natural disasters and housing recovery. The local government would be required to designate at least one representative to attend this training.

This bill would require the center to fulfill certain other duties related to natural disasters, including creating and maintaining mapping and data resources related to natural disaster recovery and providing

recommendations to the Texas Department of Insurance for the development of certain policies, procedures, and education programs. The center could seek and accept gifts, grants, donations, and other funds to assist in fulfilling its duties.

A plan that was certified by the center would be submitted for review to the General Land Office (GLO), which would review the plan and consult with the local government and the center to give suggestions for improvements. GLO would be required to give deference to the local government regarding matters in the local government's discretion. GLO would accept the plan unless it did not satisfy the criteria or certain requirements mentioned above or comply with applicable state and federal law.

A plan that was accepted by GLO would be submitted to the governor for approval. The governor would be required to provide a written explanation if plans were rejected. Any plan the governor rejected could be revised by the local government and resubmitted to the governor for approval.

A plan that received the governor's approval would be valid for four years and could be implemented during this period without further approval if a natural disaster occurred. The plan could be reviewed, at any time on or before expiration, by the center and GLO and updated and resubmitted to the governor's office for approval or rejection.

This bill would take effect September 1, 2015.