

BILL ANALYSIS

Senate Research Center

H.B. 3561
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Natural Resources
5/3/1999
Engrossed

DIGEST

Currently, under Texas law, the Texas Natural Resource Conservation Commission (TNRCC) lacks specific authority to enable TNRCC to conduct certain grant programs with state or federal funds, including federally funded pass-through grant programs. These grant programs include the National Estuary Programs for Corpus Christi and Galveston Bay, programs within the Office of Pollution Prevention and Recycling, non-point source grants, and joint grant-funding with other state agencies. This bill would establish requirements for grant applications, selection for grantees, funding, and program activities eligible for grants from TNRCC, while exempting certain grants and grantees from state purchasing and bidding requirements when these requirements are not appropriate to the particular grant being offered.

PURPOSE

As proposed, H.B. 3561 establishes requirements for grant applications, selection for grantees, funding, and program activities eligible for grants from Texas Natural Resource Conservation Commission, while exempting certain grants and grantees from state purchasing and bidding requirements when these requirements are not appropriate to the particular grant being offered.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 5.125(b), Water Code).

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 5D, Water Code, by adding Section 5.125, as follows:

Sec. 5.125. AUTHORITY TO AWARD GRANTS. (a) Authorizes the executive director of the Texas Natural Resource Conservation Commission (TNRCC), with the consent of TNRCC to award grants for any purpose regarding resource conservation or environmental protection in accordance with this section.

(b) Requires TNRCC, by rule, to establish procedures for awarding a grant, for making any determination related to awarding a grant, and for making grant payments.

(c) Requires each activity funded by a grant to directly relate to a specified purpose in the grant. Authorizes a grant to be awarded only for a purpose consistent with TNRCC's jurisdiction and purposes under law. Sets forth the programs specifically authorized by this section.

(d) Authorizes grants to be awarded to any person that meets the eligibility requirements of the grant. Requires the executive director to establish eligibility requirements for each grant appropriate to the purposes of and activities under the grant and the method of selecting the recipient.

(e) Requires the selection of grant recipients to be by solicitation of a proposal or application except as provided by Subsections (f) and (g). Authorizes the executive director to specify any selection criteria the executive director considers relevant to the grant. Sets forth requirements of the selection criteria.

(f) Sets forth the conditions under which a grant is authorized to be made by direct award.

(g) Provides that the executive director is not required to make an additional solicitation for entering into a pass-through grant with an identified partner, if a solicitation of a proposal is made for the purpose of identifying a partner for a joint application for a federal grant that is subsequently awarded to TNRCC.

(h) Requires the executive director to publish information regarding a solicitation related to a grant to be awarded under this section on TNRCC's electronic business daily in the manner provided by Section 2155.074, Government Code.

(i) Authorizes TNRCC to use certain money appropriated for grant-making purposes for grants awarded under this section.

SECTION 2. Makes application of this Act prospective. Authorizes TNRCC to award a grant which is pending on the effective date of this Act.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.