

BILL ANALYSIS

Senate Research Center
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H.B. 2345
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Water & Rural Affairs
5/11/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The report issued by the Governor's Commission to Rebuild Texas, which was established following Hurricane Harvey, included recommendations relating to resources to facilitate disaster mitigation, response, and recovery. H.B. 2345 seeks to act on certain of those recommendations by requiring the Texas Water Development Board to create a comprehensive inventory of needed mitigation and resiliency projects statewide, by establishing the Institute for a Disaster Resilient Texas, and by establishing the Flood Event Partnership Options Special Study Committee.

H.B. 2345 amends the Education Code to establish the Institute for a Disaster Resilient Texas as a component of Texas A&M University under the management and direction of the board of directors of The Texas A&M University System. The bill sets out the institute's duties with respect to disaster planning, mitigation, response, and recovery and flood planning and mitigation. The bill authorizes the institute to employ personnel and to accept a gift or grant from any public or private source for its benefit.

H.B. 2345 amends the Water Code to require the Texas Water Development Board to create an inventory of flood mitigation and resiliency projects, develop a method of prioritizing such projects, and coordinate with the Institute for a Disaster Resilient Texas.

H.B. 2345 establishes the Flood Event Partnership Options Special Study Committee to study the appropriate structure, means of administration, and membership of state-local partnerships to address flooding events in Texas. The bill sets out the factors to be addressed in the study and requires the committee to deliver a report not later than December 1, 2020, on its determinations based on the study to specified state and legislative officers and each member of the legislature and to deliver related information to those persons on request. The bill sets out the committee's composition, requires the governor to appoint the committee members not later than October 1, 2019, and requires The Texas A&M University System to provide the committee certain assistance and resources on request. The committee is abolished and these provisions expire May 1, 2021.

H.B. 2345 amends current law relating to resources to facilitate disaster mitigation, response, and recovery.

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 Subchapter C, Chapter 16, Water Code, by adding Section 16.061, as follows:

Sec. 16.061. FLOOD MITIGATION AND RESILIENCY. Requires the Texas Water Development Board (TWDB) to:

- (1) create an inventory of flood mitigation and resiliency projects;

- (2) develop a method of prioritizing projects described by Subdivision (1); and
- (3) coordinate with the Institute for a Disaster Resilient Texas (institute), created under Section 86.82, Education Code.

SECTION 2. Amends Subchapter E, Chapter 86, Education Code, by adding Section 86.82 as follows:

- (a) Defines "institute" to mean the Institute for a Disaster Resilient Texas (institute) for purposes of this section.
- (b) Provides that the institute is a component of Texas A&M University (TAMU).
- (c) Provides that the institute is under the management and direction of the board of directors (board) of The Texas A&M University System (board).
- (d) Requires the institute to:
 - (1) develop data analytics tools to support disaster planning, mitigation, response, and recovery by the state, its political subdivisions, and the public;
 - (2) create and maintain web-based analytical and visual tools to communicate disaster risks and ways to reduce those risks, including tools that work on the level of individual parcels of land;
 - (3) provide evidence-based information and solutions to aid in the formation of state and local partnerships to support disaster planning, mitigation, response, and recovery;
 - (4) collect, display, and communicate comprehensive flood-related information, including applicable updated inundation maps, for use by decision-makers and the public;
 - (5) discuss, study, and test ideas for flood planning and mitigation; and
 - (6) collaborate with other components of the TAMU System, institutions of higher education, as that term is defined by Section 61.003, state agencies, local governments, and other political subdivisions to accomplish the purposes of this section.
- (e) Authorizes the institute to employ personnel, including experts in planning, engineering, hydrology, ecology, and economics.
- (f) Authorizes the institute to accept a gift or grant from any public or private source for the benefit of the institute.

SECTION 3. (a) Defines "committee," for purposes of this Act, to mean the Flood Event Partnership Options Special Study Committee (committee).

- (b) Provides that the committee is established and consists of nine persons appointed by the governor to represent the flooding-related interests of certain agencies, political subdivisions, and entities.
- (c) Requires the governor, not later than October 1, 2019, to appoint persons to serve on the committee.
- (d) Requires the committee to conduct a study of the appropriate structure, means of administration, and membership of state-local partnerships to address flooding events in this state.
- (e) Requires the study to address:

- (1) which state and local entities are interested in and capable of participating in effective partnerships to prevent, mitigate, or address flooding events in this state;
- (2) the role that flood planning at the watershed level may play in a state-local partnership's efforts to prevent, mitigate, or address flooding events in this state;
- (3) the possible negative effects efforts in a local area to prevent, mitigate, or address flooding events may have in neighboring areas;
- (4) whether state-local partnerships to prevent, mitigate, or address flooding events in this state may function more effectively on a required basis or voluntary basis and how the organization and structure of partnerships may differ according to whether it is a required or voluntary relationship;
- (5) what incentives are available or may be made available to encourage effective state-local partnerships to prevent, mitigate, or address flooding events in this state;
- (6) what manner of funding is available or may be made available to foster effective state-local partnerships to prevent, mitigate, or address flooding events in this state;
- (7) appropriate roles for various partners in state-local partnerships to prevent, mitigate, or address flooding events in this state;
- (8) the most effective types of projects a state-local partnership could propose to prevent, mitigate, or address flooding events; and
- (9) which information is best applied by state-local partnerships to prevent, mitigate, or address flooding events and how that information may be most effectively gathered and shared.

(f) Requires the TAMU System, on the request of the committee, to provide the committee with assistance, necessary support staff, and facilities to conduct meetings.

(g) Requires the committee, not later than December 1, 2020, to deliver to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature a report on the determinations of the committee based on the study conducted under this section. Requires the committee to deliver to the governor, lieutenant governor, or a member of the legislature related information on request.

(h) Provides that the committee is abolished and this section expires May 1, 2021.

SECTION 4. Effective date: upon passage or September 1, 2019.