

BILL ANALYSIS

Senate Research Center

S.B. 1890
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Water, Agriculture & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Comptroller of Public Accounts of the State of Texas (comptroller) is responsible for promulgating state grant management guidance and has published the Uniform Grant Management Standards (UGMS) that will be superseded on January 1, 2022, by the Texas Grant Management Standards (TxGMS). Both guidance documents are published under the authority of Government Code Chapter 783. The comptroller's guidance aligns state standards with those found in the Code of Federal Regulations, Chapter 2, Part 200, and, although state guidance provides uniform assurances and standards, some agencies have specific statutory authority that differs from these state standards. The Texas Water Development Board (TWDB) is one of those agencies.

The UGMS/TxGMS do not apply to loans, loan guarantees, or loan subsidies. For consistency, these management standards have also historically not been applied to TWDB's grant programs. Our records indicate the statutory exemption was first authorized in 1981.

To continue to provide consistency for our customers, TWDB is seeking to obtain a similar exemption for grants authorized within the newly created Flood Infrastructure Fund (FIF) and the Texas Infrastructure Resiliency Fund (TIRF), as well as the Agriculture Conservation Program.

The proposed statutory changes will provide consistency in grant standards for all TWDB financial assistance programs and improve efficiency for TWDB customers, while maintaining high standards for grant compliance.

As proposed, S.B. 1890 amends current law relating to the applicability of uniform grant and contract management standards to certain Texas Water Development Board programs.

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 15.008, Water Code, to provide that the law regarding uniform grants and contract management, Chapter 783 (Uniform Grant and Contract Management), Government Code, does not apply to a contract under certain subchapters, including Subchapter I (Flood Infrastructure Fund).

SECTION 2. Amends Section 16.458, Water Code, as follows:

Sec. 16.458. APPLICABLE LAW. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that the law regarding uniform grant and contract management, Chapter 783, Government Code, does not apply to a contract for financial assistance made available from the Texas infrastructure resiliency fund.

SECTION 3. Amends Subchapter J, Chapter 17, Water Code, by adding Section 17.913, as follows:

Sec. 17.913. GRANT STANDARDS. Provides that the law regarding uniform grants and contract management, Chapter 783, Government Code, does not apply to a contract under Subchapter J (Agricultural Water Conservation Bond Program).

SECTION 4. Effective date: September 1, 2021.