

1-1 By: Gonzales of Hidalgo, et al. H.B. No. 397
1-2 (Senate Sponsor - Uresti)
1-3 (In the Senate - Received from the House May 3, 2011;
1-4 May 3, 2011, read first time and referred to Committee on
1-5 International Relations and Trade; May 16, 2011, reported
1-6 adversely, with favorable Committee Substitute by the following
1-7 vote: Yeas 5, Nays 0; May 16, 2011, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 397 By: Davis

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to the creation of the Bureau for Economic Development of
1-12 the Border Region.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle F, Title 4, Government Code, is amended
1-15 by adding Chapter 490D to read as follows:

1-16 CHAPTER 490D. BUREAU FOR ECONOMIC DEVELOPMENT OF THE BORDER REGION
1-17 Sec. 490D.001. DEFINITIONS. In this chapter:

1-18 (1) "Border region" means the portion of this state
1-19 located:

1-20 (A) not more than 100 kilometers from the state's
1-21 international border; or

1-22 (B) in a county located on an international
1-23 border.

1-24 (2) "Bureau" means the Bureau for Economic Development
1-25 of the Border Region.

1-26 Sec. 490D.002. BUREAU; MEMBERS. (a) The Bureau for
1-27 Economic Development of the Border Region is a collaboration of
1-28 participating entities administered by an institution of higher
1-29 education as provided by Subsection (b). The bureau shall work in
1-30 collaboration with public and private entities solely in an
1-31 advisory capacity on relevant research focused on the border region
1-32 to effectively maximize the economic potential of the region.

1-33 (b) Except as provided by Subsection (h), the
1-34 administration of the bureau shall alternate on September 1 of each
1-35 odd-numbered year among the following institutions of higher
1-36 education in the following order:

1-37 (1) a private university that is located in a
1-38 municipality that contains more than 75 percent of the population
1-39 of a county with a population of 1.5 million or more and that has an
1-40 economic development research institute dedicated to researching
1-41 regional economies, selected by the speaker of the house of
1-42 representatives;

1-43 (2) The University of Texas at Brownsville;

1-44 (3) The University of Texas--Pan American;

1-45 (4) The University of Texas at El Paso;

1-46 (5) The University of Texas at San Antonio; and

1-47 (6) Texas A&M International University.

1-48 (c) The bureau has a steering committee that consists of the
1-49 following members:

1-50 (1) one member appointed by the lieutenant governor;

1-51 (2) one member affiliated with a private university
1-52 described by Subsection (b)(1), appointed by the speaker of the
1-53 house of representatives;

1-54 (3) one member appointed by the administration of each
1-55 of the following institutions of higher education:

1-56 (A) The University of Texas at Brownsville;

1-57 (B) The University of Texas--Pan American;

1-58 (C) The University of Texas at El Paso;

1-59 (D) The University of Texas at San Antonio; and

1-60 (E) Texas A&M International University;

1-61 (4) the chair of the House Committee on Border and
1-62 Intergovernmental Affairs, designated by the speaker of the house
1-63 of representatives; and

2-1 (5) the chair of the Senate Committee on International
2-2 Relations and Trade, designated by the lieutenant governor.

2-3 (d) The members of the bureau's steering committee
2-4 appointed under Subsections (c)(2) and (3) must represent a center,
2-5 division, or institute for economic development, border studies,
2-6 enterprise development, workforce development, or similar matters
2-7 within the institution of higher education.

2-8 (e) The member of the bureau's steering committee appointed
2-9 under Subsection (c)(1) must be a resident of the border region.
2-10 The other appointed or designated members of the steering committee
2-11 may be residents of the border region.

2-12 (f) Members of the bureau's steering committee must be
2-13 selected to provide the bureau expertise in matters relating to
2-14 financial planning and development, construction, engineering,
2-15 economic development, employment, or trade.

2-16 (g) The institution of higher education that administers
2-17 the bureau shall provide educational expertise to the bureau.

2-18 (h) An institution of higher education may decline to
2-19 administer the bureau for a biennium if the institution notifies
2-20 each of the members of the bureau's steering committee not later
2-21 than the 30th day before the date the institution is scheduled to
2-22 begin administering the bureau. If an institution declines to
2-23 administer the bureau:

2-24 (1) the next institution of higher education scheduled
2-25 to administer the bureau shall administer the bureau during the
2-26 biennium;

2-27 (2) the member affiliated with the institution of
2-28 higher education that has declined to administer the bureau must
2-29 continue to participate in the steering committee but does not
2-30 serve as the presiding officer for the biennium; and

2-31 (3) the institutions of higher education listed in
2-32 Subsection (b) shall continue to alternate the administration of
2-33 the bureau in the order required by that subsection for subsequent
2-34 bienniums.

2-35 Sec. 490D.003. TERMS. (a) The members of the bureau's
2-36 steering committee appointed under Sections 490D.002(c)(1), (2),
2-37 and (3) serve staggered terms of two years, with four of the
2-38 members' terms expiring September 1 of each odd-numbered year.

2-39 (b) A member may serve more than one term.

2-40 Sec. 490D.004. MEETINGS; OFFICERS. (a) The bureau's
2-41 steering committee shall hold at least one regular meeting
2-42 annually.

2-43 (b) The member of the steering committee affiliated with the
2-44 institution of higher education that is administering the bureau as
2-45 provided by Section 490D.002(b) serves as the presiding officer.

2-46 (c) The steering committee shall meet subject to the call of
2-47 the presiding officer.

2-48 Sec. 490D.005. DUTIES. (a) Subject to Subsection (b), the
2-49 bureau shall:

2-50 (1) facilitate research in fields of study affecting
2-51 the economy in the border region;

2-52 (2) make recommendations to the legislature regarding
2-53 the provision of economic and financial education to persons living
2-54 in the border region;

2-55 (3) draft and submit reports to advise the legislature
2-56 about economic development opportunities in the border region;

2-57 (4) provide evaluation of specific proposals for use
2-58 of economic development funds in the border region, including tax
2-59 abatement agreements;

2-60 (5) consult with the Texas Economic Development and
2-61 Tourism Office within the office of the governor on issues related
2-62 to the border region;

2-63 (6) study and report on opportunities to improve trade
2-64 across the international border; and

2-65 (7) make recommendations to the legislature about the
2-66 establishment of infrastructure projects to assist multiple
2-67 counties in the border region.

2-68 (b) Before a recommendation or evaluation is made under
2-69 Subsection (a), two-thirds of the members of the steering committee

3-1 present at a meeting at which a quorum is present must approve the
3-2 recommendation or evaluation.

3-3 Sec. 490D.006. FUNDING. (a) The bureau or any member of
3-4 the bureau's steering committee may solicit and accept pledges,
3-5 gifts, and endowments from private sources on the bureau's behalf.
3-6 The bureau shall actively seek gifts from businesses and
3-7 organizations that represent businesses to support the bureau's
3-8 functions. A pledge, gift, or endowment solicited under this
3-9 section must be consistent with the purposes of the bureau.

3-10 (b) The legislature may not make an appropriation for the
3-11 duties or functions of the bureau.

3-12 Sec. 490D.007. FACILITIES AND OTHER ASSISTANCE. The
3-13 institution of higher education that administers the bureau may
3-14 provide facilities and services to further the purposes of the
3-15 bureau.

3-16 Sec. 490D.008. DURATION. Section 2110.008 does not apply
3-17 to the bureau.

3-18 SECTION 2. In appointing the initial appointed members of
3-19 the steering committee of the Bureau for Economic Development of
3-20 the Border Region under Section 490D.002, Government Code, as added
3-21 by this Act:

3-22 (1) the lieutenant governor shall appoint one member
3-23 to serve a term expiring September 1, 2013;

3-24 (2) the speaker of the house of representatives shall
3-25 appoint the member under Section 490D.002(c)(2), as added by this
3-26 Act, to serve a term expiring September 1, 2013;

3-27 (3) the administration of The University of Texas at
3-28 Brownsville shall appoint one member to serve a term expiring
3-29 September 1, 2013;

3-30 (4) the administration of The University of Texas--Pan
3-31 American shall appoint one member to serve a term expiring
3-32 September 1, 2013;

3-33 (5) the administration of The University of Texas at
3-34 El Paso shall appoint one member to serve a term expiring September
3-35 1, 2014;

3-36 (6) the administration of The University of Texas at
3-37 San Antonio shall appoint one member to serve a term expiring
3-38 September 1, 2014; and

3-39 (7) the administration of Texas A&M International
3-40 University shall appoint one member to serve a term expiring
3-41 September 1, 2014.

3-42 SECTION 3. This Act takes effect September 1, 2011.

3-43

* * * * *