

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Gonzales of Hidalgo, Martinez, Lucio III,  
Margo, Gallego, et al.

H.B. No. 397

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Bureau for Economic Development of  
the Border Region.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 4, Government Code, is amended  
by adding Chapter 490D to read as follows:

CHAPTER 490D. BUREAU FOR ECONOMIC DEVELOPMENT OF THE BORDER REGION

Sec. 490D.001. DEFINITIONS. In this chapter:

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

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

(B) in a county located on an international  
border.

(2) "Bureau" means the Bureau for Economic Development  
of the Border Region.

Sec. 490D.002. BUREAU; MEMBERS. (a) The Bureau for  
Economic Development of the Border Region is a partnership of  
participating public and private entities administered by a public  
or private institution of higher education that is designated by  
the steering committee of the bureau and agrees to serve in that  
capacity.

(b) The bureau has a steering committee that consists of  
seven members as follows:

- 1           (1) one member appointed by the lieutenant governor;  
2           (2) one member appointed by the speaker of the house of  
3 representatives;  
4           (3) three members appointed by the administration of  
5 the institution of higher education;  
6           (4) the chair of the House Committee on Border and  
7 Intergovernmental Affairs, designated by the speaker of the house  
8 of representatives; and  
9           (5) the chair of the senate committee to which border  
10 affairs are referred, designated by the lieutenant governor.

11           (c) The members of the bureau's steering committee  
12 appointed under Subsections (b)(1) and (2) must be residents of the  
13 border region. The other appointed or designated members of the  
14 steering committee may be residents of the border region.

15           (d) Members of the bureau's steering committee must be  
16 selected to provide the bureau expertise relating to financial  
17 planning and development, construction, engineering, and trade.

18           (e) The institution of higher education that administers  
19 the bureau shall provide educational expertise to the bureau.

20           Sec. 490D.003. TERMS. (a) The appointed members of the  
21 bureau's steering committee serve staggered terms of two years,  
22 with as near as possible to one-half of the members' terms expiring  
23 February 1 of each year.

24           (b) The members of the bureau's steering committee  
25 designated under Sections 490D.002(b)(4) and (5) serve terms that  
26 expire February 1 of each odd-numbered year.

27           Sec. 490D.004. MEETINGS; OFFICERS. (a) The bureau's

1 steering committee shall hold at least one regular meeting  
2 annually.

3 (b) At its first meeting, the steering committee shall  
4 select from its membership a presiding officer.

5 (c) The steering committee shall meet subject to the call of  
6 the presiding officer.

7 Sec. 490D.005. DUTIES. The bureau shall:

8 (1) facilitate research in fields of study affecting  
9 the economy in the border region;

10 (2) make recommendations to the legislature regarding  
11 the provision of economic and financial education to persons living  
12 in the border region;

13 (3) draft and submit reports to advise the legislature  
14 about economic development opportunities in the border region;

15 (4) provide evaluation of specific proposals for use  
16 of economic development funds in the border region, including tax  
17 abatement agreements;

18 (5) consult with the Texas Economic Development and  
19 Tourism Office within the office of the governor on issues related  
20 to the border region;

21 (6) study and report on opportunities to improve trade  
22 across the international border; and

23 (7) make recommendations to the legislature about the  
24 establishment of infrastructure projects to assist multiple  
25 counties in the border region.

26 Sec. 490D.006. FUNDING. (a) In addition to any amount  
27 appropriated by the legislature, the bureau may apply for and

1 accept funds from the federal government or any other public or  
2 private entity to carry out the bureau's duties.

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

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

14 Sec. 490D.008. DURATION. Section 2110.008 does not apply  
15 to the bureau.

16 SECTION 2. (a) In appointing the initial appointed members  
17 of the steering committee of the Bureau for Economic Development of  
18 the Border Region under Section 490D.002, Government Code, as added  
19 by this Act:

20 (1) the lieutenant governor shall appoint one member  
21 to serve a term expiring February 1, 2012;

22 (2) the speaker of the house of representatives shall  
23 appoint one member to serve a term expiring February 1, 2012; and

24 (3) the administration of the institution of higher  
25 education that administers the bureau shall appoint one member to  
26 serve a term expiring February 1, 2012, and two members to serve a  
27 term expiring February 1, 2013.

1           (b) As soon as practicable after the initial members of the  
2 steering committee of the Bureau for Economic Development of the  
3 Border Region have been appointed or designated under Section  
4 490D.002(b)(1), (2), (4), or (5), Government Code, as added by this  
5 Act, those initial members of the steering committee shall  
6 designate the institution of higher education as required by  
7 Section 490D.002, Government Code, as added by this Act.

8           SECTION 3. This Act takes effect September 1, 2011.

**ADOPTED**

MAY 21 2011

*Atty Gen*  
Secretary of the Senate

By: *P. Christ*

H.B. No. 397

Substitute the following for H.B. No. 397:

By: *Wendy R Davis*

C.S. H.B. No. 397

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Bureau for Economic Development of  
3 the Border Region.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle F, Title 4, Government Code, is amended  
6 by adding Chapter 490D to read as follows:

7 CHAPTER 490D. BUREAU FOR ECONOMIC DEVELOPMENT OF THE BORDER REGION

8 Sec. 490D.001. DEFINITIONS. In this chapter:

9 (1) "Border region" means the portion of this state  
10 located:

11 (A) not more than 100 kilometers from the state's  
12 international border; or

13 (B) in a county located on an international  
14 border.

15 (2) "Bureau" means the Bureau for Economic Development  
16 of the Border Region.

17 Sec. 490D.002. BUREAU; MEMBERS. (a) The Bureau for  
18 Economic Development of the Border Region is a collaboration of  
19 participating entities administered by an institution of higher  
20 education as provided by Subsection (b). The bureau shall work in  
21 collaboration with public and private entities solely in an  
22 advisory capacity on relevant research focused on the border region  
23 to effectively maximize the economic potential of the region.

24 (b) Except as provided by Subsection (h), the

1 administration of the bureau shall alternate on September 1 of each  
2 odd-numbered year among the following institutions of higher  
3 education in the following order:

4 (1) a private university that is located in a  
5 municipality that contains more than 75 percent of the population  
6 of a county with a population of 1.5 million or more and that has an  
7 economic development research institute dedicated to researching  
8 regional economies, selected by the speaker of the house of  
9 representatives;

10 (2) The University of Texas at Brownsville;

11 (3) The University of Texas--Pan American;

12 (4) The University of Texas at El Paso;

13 (5) The University of Texas at San Antonio; and

14 (6) Texas A&M International University.

15 (c) The bureau has a steering committee that consists of the  
16 following members:

17 (1) one member appointed by the lieutenant governor;

18 (2) one member affiliated with a private university  
19 described by Subsection (b)(1), appointed by the speaker of the  
20 house of representatives;

21 (3) one member appointed by the administration of each  
22 of the following institutions of higher education:

23 (A) The University of Texas at Brownsville;

24 (B) The University of Texas--Pan American;

25 (C) The University of Texas at El Paso;

26 (D) The University of Texas at San Antonio; and

27 (E) Texas A&M International University;

1           (4) the chair of the House Committee on Border and  
2 Intergovernmental Affairs, designated by the speaker of the house  
3 of representatives; and

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

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

11           (e) The member of the bureau's steering committee appointed  
12 under Subsection (c)(1) must be a resident of the border region.  
13 The other appointed or designated members of the steering committee  
14 may be residents of the border region.

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

19           (g) The institution of higher education that administers  
20 the bureau shall provide educational expertise to the bureau.

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

27           (1) the next institution of higher education scheduled



1 to administer the bureau shall administer the bureau during the  
2 biennium;

3 (2) the member affiliated with the institution of  
4 higher education that has declined to administer the bureau must  
5 continue to participate in the steering committee but does not  
6 serve as the presiding officer for the biennium; and

7 (3) the institutions of higher education listed in  
8 Subsection (b) shall continue to alternate the administration of  
9 the bureau in the order required by that subsection for subsequent  
10 bienniums.

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

15 (b) A member may serve more than one term.

16 Sec. 490D.004. MEETINGS; OFFICERS. (a) The bureau's  
17 steering committee shall hold at least one regular meeting  
18 annually.

19 (b) The member of the steering committee affiliated with the  
20 institution of higher education that is administering the bureau as  
21 provided by Section 490D.002(b) serves as the presiding officer.

22 (c) The steering committee shall meet subject to the call of  
23 the presiding officer.

24 Sec. 490D.005. DUTIES. (a) Subject to Subsection (b), the  
25 bureau shall:

26 (1) facilitate research in fields of study affecting  
27 the economy in the border region;

1           (2) make recommendations to the legislature regarding  
2 the provision of economic and financial education to persons living  
3 in the border region;

4           (3) draft and submit reports to advise the legislature  
5 about economic development opportunities in the border region;

6           (4) provide evaluation of specific proposals for use  
7 of economic development funds in the border region, including tax  
8 abatement agreements;

9           (5) consult with the Texas Economic Development and  
10 Tourism Office within the office of the governor on issues related  
11 to the border region;

12           (6) study and report on opportunities to improve trade  
13 across the international border; and

14           (7) make recommendations to the legislature about the  
15 establishment of infrastructure projects to assist multiple  
16 counties in the border region.

17           (b) Before a recommendation or evaluation is made under  
18 Subsection (a), two-thirds of the members of the steering committee  
19 present at a meeting at which a quorum is present must approve the  
20 recommendation or evaluation.

21           Sec. 490D.006. FUNDING. (a) The bureau or any member of  
22 the bureau's steering committee may solicit and accept pledges,  
23 gifts, and endowments from private sources on the bureau's behalf.  
24 The bureau shall actively seek gifts from businesses and  
25 organizations that represent businesses to support the bureau's  
26 functions. A pledge, gift, or endowment solicited under this  
27 section must be consistent with the purposes of the bureau.

1           (b) The legislature may not make an appropriation for the  
2 duties or functions of the bureau.

3           Sec. 490D.007. FACILITIES AND OTHER ASSISTANCE. The  
4 institution of higher education that administers the bureau may  
5 provide facilities and services to further the purposes of the  
6 bureau.

7           Sec. 490D.008. DURATION. Section 2110.008 does not apply  
8 to the bureau.

9           SECTION 2. In appointing the initial appointed members of  
10 the steering committee of the Bureau for Economic Development of  
11 the Border Region under Section 490D.002, Government Code, as added  
12 by this Act:

13           (1) the lieutenant governor shall appoint one member  
14 to serve a term expiring September 1, 2013;

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

18           (3) the administration of The University of Texas at  
19 Brownsville shall appoint one member to serve a term expiring  
20 September 1, 2013;

21           (4) the administration of The University of Texas--Pan  
22 American shall appoint one member to serve a term expiring  
23 September 1, 2013;

24           (5) the administration of The University of Texas at  
25 El Paso shall appoint one member to serve a term expiring September  
26 1, 2014;

27           (6) the administration of The University of Texas at

1 San Antonio shall appoint one member to serve a term expiring  
2 September 1, 2014; and

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

6           SECTION 3. This Act takes effect September 1, 2011.

# ADOPTED

*on 3rd*  
MAY 21 2011

*Atty. Gen.*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *P. Hest*

- 1 Amend C.S.H.B. No. 397 (senate committee printing) in SECTION
- 2 2 of the bill (page 3, lines 35, 38, and 41), by striking "2014" each
- 3 place it appears and substituting "2012".

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 21, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB397** by Gonzales, Veronica (Relating to the creation of the Bureau for Economic Development of the Border Region. ), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill creates the Bureau for Economic Development of the Border Region, which is a collaboration of participating entities administered by an institution of higher education. The bill includes provisions on which institutions would administer the Bureau, composition of the bureau's steering committee and duties of the bureau. The bureau or members of the bureau's steering committee could solicit pledges, gifts and endowments from private sources to support the bureau's functions. Under provisions of the bill, the legislature could not make an appropriation for the duties or functions of the bureau.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

**LBB Staff:** JOB, KM, RT, GO

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 16, 2011**

**TO:** Honorable Eddie Lucio Jr., Chair, Senate Committee on International Relations & Trade

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE:** **HB397** by Gonzales, Veronica (Relating to the creation of the Bureau for Economic Development of the Border Region. ), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill creates the Bureau for Economic Development of the Border Region, which is a collaboration of participating entities administered by an institution of higher education. The bill includes provisions on which institutions would administer the Bureau, composition of the bureau's steering committee and duties of the bureau. The bureau or members of the bureau's steering committee could solicit pledges, gifts and endowments from private sources to support the bureau's functions. Under provisions of the bill, the legislature could not make an appropriation for the duties or functions of the bureau.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

**LBB Staff:** JOB, KM, RT, GO

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 4, 2011**

**TO:** Honorable Eddie Lucio Jr., Chair, Senate Committee on International Relations & Trade

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB397** by Gonzales, Veronica (Relating to the creation of the Bureau for Economic Development of the Border Region.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill creates the Bureau for Economic Development of the Border Region, which is a partnership for participating public and private entities administered by a public or private institution of higher education that is designated by the steering committee of the bureau and agrees to serve in that capacity. The Bureau will facilitate research in fields of study affecting the border region. In addition the Bureau will make recommendations/provide reports to the legislature and others for 1) the provision of economic and financial education for persons living in the border region; 2) economic development opportunities; 3) international trade; and, 4) infrastructure projects to assist counties in the region. The bureau will also consult with the Texas Economic Development and Tourism Office and provide evaluation for specific proposals as to the use of economic development fund. For purposes of this fiscal note it is assumed any costs associate with the bill will be absorbed by the institution that is chosen to administer the Bureau.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 781 Higher Education Coordinating Board

**LBB Staff:** JOB, KM, RT, GO



**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 10, 2011**

**TO:** Honorable Veronica Gonzales, Chair, House Committee on Border & Intergovernmental Affairs

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE:** HB397 by Gonzales, Veronica (Relating to the creation of the Bureau for Economic Development of the Border Region.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill creates the Bureau for Economic Development of the Border Region, which is a partnership for participating public and private entities administered by a public or private institution of higher education that is designated by the steering committee of the bureau and agrees to serve in that capacity. The Bureau will facilitate research in fields of study affecting the border region. In addition the Bureau will make recommendations/provide reports to the legislature and others for 1) the provision of economic and financial education for persons living in the border region; 2) economic development opportunities; 3) international trade; and, 4) infrastructure projects to assist counties in the region. The bureau will also consult with the Texas Economic Development and Tourism Office and provide evaluation for specific proposals as to the use of economic development fund. For purposes of this fiscal note it is assumed any costs associate with the bill will be absorbed by the institution that is chosen to administer the Bureau.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 781 Higher Education Coordinating Board

**LBB Staff:** JOB, KM, RT, GO