

House Bill 397
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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.

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 - (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 collaboration of participating entities administered by an institution of higher education as provided by Subsection (b).

The bureau shall work in collaboration with public and private entities solely in an advisory capacity on relevant research focused on the border region to effectively maximize the economic potential of the region.

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

- (1) a private university that is located in a municipality that contains more than 75 percent of the population of a county with a population of 1.5 million or more and that has an economic development research institute dedicated to researching regional economies, selected by the speaker of the house of representatives;
- (2) The University of Texas at Brownsville;
- (3) The University of Texas--Pan American;
- (4) The University of Texas at El Paso;

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

(1) one member appointed by the lieutenant governor;

(2) one member appointed by the speaker of the house of representatives;

(3) three members appointed by the administration of the institution of higher education;

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

(5) the chair of the senate committee to which border affairs are referred, designated by the lieutenant governor.

(c) The members of the bureau's steering committee appointed under Subsections (b)(1) and (2)

must be residents of the border region. The other appointed or designated members of the steering committee may be residents of the border region.

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

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

(6) Texas A&M International University.

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

(1) one member appointed by the lieutenant governor;

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

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

(A) The University of Texas at Brownsville;

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

(C) The University of Texas at El Paso;

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

(E) Texas A&M International University;

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

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

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

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

(f) Members of the bureau's steering committee must be selected to provide the bureau expertise in matters relating to financial planning and development, construction,

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trade.

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

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

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

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

(b) At its first meeting, the steering committee shall select

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engineering, economic development, employment, or trade.

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

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

(1) the next institution of higher education scheduled to administer the bureau shall administer the bureau during the biennium;

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

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

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

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

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

(b) The member of the steering committee affiliated with the

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from its membership a presiding officer.

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

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

- (1) facilitate research in fields of study affecting the economy in the border region;
- (2) make recommendations to the legislature regarding the provision of economic and financial education to persons living in the border region;
- (3) draft and submit reports to advise the legislature about economic development opportunities in the border region;
- (4) provide evaluation of specific proposals for use of economic development funds in the border region, including tax abatement agreements;
- (5) consult with the Texas Economic Development and Tourism Office within the office of the governor on issues related to the border region;
- (6) study and report on opportunities to improve trade across the international border; and
- (7) make recommendations to the legislature about the establishment of infrastructure projects to assist multiple counties in the border region.

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

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institution of higher education that is administering the bureau as provided by Section 490D.002(b) serves as the presiding officer.

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

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

- (1) facilitate research in fields of study affecting the economy in the border region;
- (2) make recommendations to the legislature regarding the provision of economic and financial education to persons living in the border region;
- (3) draft and submit reports to advise the legislature about economic development opportunities in the border region;
- (4) provide evaluation of specific proposals for use of economic development funds in the border region, including tax abatement agreements;
- (5) consult with the Texas Economic Development and Tourism Office within the office of the governor on issues related to the border region;
- (6) study and report on opportunities to improve trade across the international border; and
- (7) make recommendations to the legislature about the establishment of infrastructure projects to assist multiple counties in the border region.

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

Sec. 490D.006. FUNDING. (a)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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term expiring February 1, 2013.

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

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

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- (4) the administration of The University of Texas--Pan American shall appoint one member to serve a term expiring September 1, 2013;
- (5) the administration of The University of Texas at El Paso shall appoint one member to serve a term expiring September 1, 2012;
- (6) the administration of The University of Texas at San Antonio shall appoint one member to serve a term expiring September 1, 2012; and
- (7) the administration of Texas A&M International University shall appoint one member to serve a term expiring September 1, 2012. [FA1,3rd]

SECTION 3. Same as House version.

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