

1-1 By: Lucio S.B. No. 1376
1-2 (In the Senate - Filed March 12, 2015; March 18, 2015, read
1-3 first time and referred to Committee on Natural Resources and
1-4 Economic Development; April 22, 2015, rereferred to Committee on
1-5 Intergovernmental Relations; May 4, 2015, reported adversely, with
1-6 favorable Committee Substitute by the following vote: Yeas 6,
1-7 Nays 0; May 4, 2015, sent to printer.)

1-8 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|---------------------------------|-----|-----|--------|-----|
| 1-10 <u>Lucio</u> | X | | | |
| 1-11 <u>Bettencourt</u> | X | | | |
| 1-12 <u>Campbell</u> | X | | | |
| 1-13 <u>Garcia</u> | X | | | |
| 1-14 <u>Menéndez</u> | | | X | |
| 1-15 <u>Nichols</u> | X | | | |
| 1-16 <u>Taylor of Galveston</u> | X | | | |

1-17 COMMITTEE SUBSTITUTE FOR S.B. No. 1376 By: Lucio

1-18 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to natural disaster housing recovery.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 418, Government Code, is amended by
1-23 adding Subchapter F-1 to read as follows:

1-24 SUBCHAPTER F-1. NATURAL DISASTER HOUSING RECOVERY

1-25 Sec. 418.131. DEFINITIONS. In this subchapter:

1-26 (1) "Center" means the Hazard Reduction and Recovery
1-27 Center at Texas A&M University.

1-28 (2) "Local government" means a county, municipality,
1-29 or council of government.

1-30 (3) "Plan" means a local housing recovery plan
1-31 developed under Section 418.133.

1-32 Sec. 418.132. DUTIES OF GENERAL LAND OFFICE OR DESIGNATED
1-33 STATE AGENCY. (a) Unless the governor designates a state agency
1-34 under Subsection (d), the General Land Office shall receive and
1-35 administer federal and state funds appropriated for long-term
1-36 natural disaster recovery.

1-37 (b) The General Land Office shall:

1-38 (1) collaborate with the Texas Division of Emergency
1-39 Management and the Federal Emergency Management Agency to secure
1-40 reimbursement for housing needs in areas affected by natural
1-41 disasters;

1-42 (2) seek prior approval from the Federal Emergency
1-43 Management Agency and the United States Department of Housing and
1-44 Urban Development for the immediate post-disaster implementation
1-45 of local housing recovery plans approved by the governor under
1-46 Section 418.136; and

1-47 (3) maintain a division with adequate staffing and
1-48 other administrative support to carry out the General Land Office's
1-49 duties relating to long-term natural disaster recovery.

1-50 (c) The General Land Office may adopt rules as necessary to
1-51 implement the General Land Office's duties under this subchapter.

1-52 (d) The governor may designate a state agency to be
1-53 responsible for long-term natural disaster recovery under this
1-54 subchapter instead of the General Land Office. If the governor
1-55 designates a state agency under this subsection, a reference to the
1-56 General Land Office in this subchapter means the designated state
1-57 agency.

1-58 Sec. 418.133. LOCAL HOUSING RECOVERY PLAN. (a) A local
1-59 government may develop and adopt a local housing recovery plan to
1-60 provide for the rapid and efficient construction of permanent

2-1 replacement housing following a natural disaster.

2-2 (b) In developing the plan, a local government shall seek
 2-3 input from:
 2-4 (1) stakeholders in the community, including
 2-5 residents, local businesses, and community-based organizations;
 2-6 and
 2-7 (2) neighboring local governments.

2-8 (c) A local government may submit a plan developed and
 2-9 adopted under Subsection (a) to the center for certification.

2-10 Sec. 418.134. DUTIES OF HAZARD REDUCTION AND RECOVERY
 2-11 CENTER; PLAN CRITERIA AND CERTIFICATION. (a) The center shall
 2-12 review and certify plans submitted to the center by local
 2-13 governments.

2-14 (b) The center shall establish criteria for certifying a
 2-15 plan. The center may not certify a plan unless the plan:

2-16 (1) identifies areas in the local government's
 2-17 boundaries that are vulnerable to natural disasters;

2-18 (2) identifies sources of post-disaster housing

2-19 assistance and recovery funds;

2-20 (3) provides procedures for rapidly responding to a

2-21 natural disaster, including procedures for:

2-22 (A) assessing and reporting housing damage,
 2-23 disaggregated by insured and uninsured losses, to the governor;

2-24 (B) providing fair and efficient access to

2-25 natural disaster recovery assistance for residents;

2-26 (C) determining residents' eligibility for

2-27 natural disaster recovery assistance;

2-28 (D) educating residents about the rebuilding

2-29 process and providing outreach and case management services; and

2-30 (E) prequalifying and training local

2-31 professionals needed for natural disaster recovery;

2-32 (4) provides procedures to encourage residents to

2-33 rebuild outside of the vulnerable areas identified under

2-34 Subdivision (1);

2-35 (5) provides procedures to maximize the use of local

2-36 businesses, contractors, and supplies to rebuild to the extent

2-37 possible;

2-38 (6) provides procedures to maximize cost efficiency;

2-39 (7) provides for the construction of permanent

2-40 replacement housing for displaced residents as soon as possible

2-41 after the natural disaster, with a goal of completion in not later

2-42 than six months; and

2-43 (8) complies with applicable state and federal law.

2-44 (c) If the center determines that a plan does not meet the

2-45 criteria prescribed by Subsection (b), the center shall identify

2-46 the plan's deficiencies and assist the local government in revising

2-47 the plan to meet the criteria.

2-48 (d) The center shall provide training to local governments

2-49 and community-based organizations on developing a plan. A local

2-50 government that submits a plan to the center for certification

2-51 under this section shall designate at least one representative to

2-52 attend the center's training. The training must include

2-53 information relating to:

2-54 (1) previous experiences with housing recovery from

2-55 natural disasters;

2-56 (2) best practices for achieving rapid and efficient

2-57 construction of permanent replacement housing;

2-58 (3) federal and state laws and regulations on natural

2-59 disaster recovery;

2-60 (4) methods for identifying and planning for

2-61 vulnerable areas and populations before a natural disaster; and

2-62 (5) cost-effective land use and building practices.

2-63 (e) The center shall create and maintain mapping and data

2-64 resources related to natural disaster recovery and planning,

2-65 including the Texas Coastal Communities Planning Atlas.

2-66 (f) The center shall assist a local government on request in

2-67 identifying areas that are vulnerable to natural disasters.

2-68 (g) The center shall provide recommendations to the Texas

2-69 Department of Insurance regarding the development of policies,

3-1 procedures, and education programs to enable the quick and
3-2 efficient reporting and settling of housing claims related to
3-3 natural disasters.

3-4 (h) The center may seek and accept gifts, grants, donations,
3-5 and other funds to assist the center in fulfilling its duties under
3-6 this section.

3-7 Sec. 418.135. REVIEW OF LOCAL HOUSING RECOVERY PLAN BY
3-8 GENERAL LAND OFFICE. (a) The center shall submit to the General
3-9 Land Office a plan certified by the center under Section 418.134.

3-10 (b) The General Land Office shall review the plan and
3-11 consult with the center and the local government about any
3-12 potential improvements the General Land Office may identify. In
3-13 reviewing the plan, the General Land Office shall give deference to
3-14 the local government regarding matters in the local government's
3-15 discretion.

3-16 (c) On completion of the review, the General Land Office
3-17 shall accept the plan unless the General Land Office determines
3-18 that the plan does not:

3-19 (1) satisfy the criteria for a certified plan under
3-20 Section 418.134(b);

3-21 (2) provide for the rapid and efficient construction
3-22 of permanent replacement housing; or

3-23 (3) comply with applicable state and federal law.

3-24 Sec. 418.136. APPROVAL BY GOVERNOR. (a) The General Land
3-25 Office shall submit to the governor for approval or rejection a plan
3-26 that the General Land Office accepts under Section 418.135.

3-27 (b) If the governor rejects a plan, the governor must
3-28 provide a written explanation of the reasons for the rejection.

3-29 (c) A local government, in consultation with the center and
3-30 the General Land Office, may revise a plan rejected by the governor
3-31 under this section and resubmit the plan to the governor for
3-32 approval.

3-33 Sec. 418.137. EFFECT OF APPROVAL. (a) A plan approved by
3-34 the governor under Section 418.136 is valid for four years and may
3-35 be implemented during that period without further approval if a
3-36 natural disaster occurs.

3-37 (b) In accordance with rules adopted by the General Land
3-38 Office, on or before expiration, the plan may be reviewed by the
3-39 center and the General Land Office, updated if necessary, and
3-40 resubmitted to the governor for approval or rejection.

3-41 SECTION 2. This Act takes effect September 1, 2015.

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