

GOVERNMENT CODE

CHAPTER 775. COORDINATION OF COLONIA INITIATIVES

Sec. 775.001. DEFINITIONS. In this chapter:

- (1) "Agency" means a state office, institution, or other state governmental entity.
- (2) "Colonia" means a geographic area that:
 - (A) is an economically distressed area as defined by Section 17.921, Water Code; and
 - (B) is:
 - (i) located in a county any part of which is within 50 miles of an international border; or
 - (ii) located in a county:
 - (a) any part of which is within 100 miles of an international border; and
 - (b) that contains the majority of the area of a municipality with a population of more than 250,000.
- (3) "Nonborder colonia" has the meaning assigned by Section 15.001, Water Code.

Added by Acts 1999, 76th Leg., ch. 404, Sec. 44, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1367, Sec. 11.05, eff. Sept. 1, 2001; Acts 2005, 79th Leg., ch. 708, Sec. 11, eff. Sept. 1, 2005.

Sec. 775.002. INTERAGENCY COORDINATION OF COLONIA INITIATIVES. (a) The governor may designate an agency to act as the state's colonia initiatives coordinator.

(b) If appointed under Subsection (a), the colonia initiatives coordinator shall coordinate colonia initiatives within the agency and with the other agencies and local officials involved in colonia projects in the state.

(c) The colonia initiatives coordinator shall work with the other agencies and local officials involved in colonia projects in the state to:

- (1) coordinate efforts to address colonia issues;
- (2) identify nonprofit self-help groups to help with colonia initiatives;
- (3) set goals for each state fiscal year for colonia initiatives in the state, including goals to:
 - (A) address easement problems; and
 - (B) ensure that water and wastewater connections are extended from distribution lines to houses located in colonias;
- (4) ensure that the goals set under this subsection are met each state fiscal year; and
- (5) coordinate state outreach efforts to nonborder colonias and to political subdivisions capable of providing water and wastewater services to nonborder colonias.

(d) The following agencies shall designate an officer or employee of the agency to serve as the agency's liaison for colonia initiatives:

- (1) the office of the attorney general;
- (2) the Department of State Health Services;
- (3) the Texas Department of Housing and Community Affairs;
- (4) the Texas Commission on Environmental Quality;
- (5) the Texas Water Development Board;
- (6) the Office of Rural Community Affairs;
- (7) the Office of State-Federal Relations;
- (8) the Texas Department of Insurance; and
- (9) the Texas Department of Transportation.

(e) Each agency's liaison for colonia initiatives under Subsection (d) must be a deputy executive director or a person of equivalent or higher authority at the agency. This subsection does not authorize the creation of a new position for colonia coordination at a state agency.

(f) In coordinating colonia initiatives under this section, the coordinator shall consider the advice and recommendations of the Colonia Resident Advisory Committee established under Section 2306.584.

Added by Acts 1999, 76th Leg., ch. 404, Sec. 44, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1367, Sec. 11.06, eff. Sept. 1, 2001; Acts 2005, 79th Leg., ch. 351, Sec. 1, eff. June 17, 2005.

Sec. 775.003. COLONIA OMBUDSMAN PROGRAM.

Text of section as amended by Acts 2005, 79th Leg., ch. 708, Sec. 12

The colonia initiatives coordinator may appoint a colonia ombudsman in:

- (1) each of the six border counties that the coordinator determines have the largest colonia populations; and

(2) each additional county any part of which is within 100 miles of an international border and that contains the majority of the area of a municipality with a population of more than 250,000.

Added by Acts 1999, 76th Leg., ch. 404, Sec. 44, eff. Sept. 1, 1999. Amended by Acts 2005, 79th Leg., ch. 708, Sec. 12, eff. Sept. 1, 2005.

For text of section as amended by Acts 2005, 79th Leg., ch. 828, Sec. 3, see Sec. 775.003, post.

Sec. 775.003. COLONIA OMBUDSMAN PROGRAM.

Text of section as amended by Acts 2005, 79th Leg., ch. 828, Sec. 3

The colonia initiatives coordinator shall appoint a colonia ombudsman in each of the six border counties that the coordinator determines have the largest colonia populations.

Added by Acts 1999, 76th Leg., ch. 404, Sec. 44, eff. Sept. 1, 1999. Amended by Acts 2005, 79th Leg., ch. 828, Sec. 3, eff. Sept. 1, 2005.

For text of section as amended by Acts 2005, 79th Leg., ch. 708, Sec. 12, see Sec. 775.003, ante.

Sec. 775.004. DEVELOPMENT OF STRATEGY TO ASSIST COLONIA RESIDENTS.

Text of section as added by Acts 2005, 79th Leg., ch. 351, Sec. 2

(a) To improve services delivered to colonia residents, the colonia initiatives coordinator shall work with the Colonia Resident Advisory Committee established under Section 2306.584.

(b) The coordinator may establish an advisory committee similar to the Colonia Resident Advisory Committee to supplement the efforts of the Colonia Resident Advisory Committee by providing representation for colonia residents in counties that are not represented by a member of the Colonia Resident Advisory Committee.

(c) The coordinator shall consider the advice of the Colonia Resident Advisory Committee and any committee established under Subsection (b) regarding the needs of colonia residents.

(d) Based on the advice received under Subsection (c) and any recommendations received from the agencies listed in Section 775.002(d), the coordinator shall define and develop a strategy to address the needs of colonia residents and make recommendations to the legislature based on that strategy. The coordinator shall recommend appropriate programs, grants, and activities to the legislature.

Added by Acts 2005, 79th Leg., ch. 351, Sec. 2, eff. June 17, 2005.

For text of section as added by Acts 2005, 79th Leg., ch. 828, Sec. 3, see Sec. 775.004, post.

Sec. 775.004. INFORMATION ON COLONIAS.

Text of section as added by Acts 2005, 79th Leg., ch. 828, Sec. 3

(a) The colonia ombudsmen shall gather information about the colonias in the counties for which the ombudsmen were appointed and provide the information to the secretary of state, to assist the secretary of state in preparing the report required under Section 405.021.

(b) To the extent possible, the ombudsmen shall gather information regarding:

- (1) the platting of each colonia;
- (2) the infrastructure of each colonia;
- (3) the availability of health care services;
- (4) the availability of financial assistance; and
- (5) any other appropriate topic as requested by the

secretary of state.

(c) The ombudsmen shall provide the information to the secretary of state not later than September 1 of each even-numbered year.

Added by Acts 2005, 79th Leg., ch. 828, Sec. 3, eff. Sept. 1, 2005.

For text of section as added by Acts 2005, 79th Leg., ch. 351, Sec. 2, see Sec. 775.004, ante.