

## **BILL ANALYSIS**

Senate Research Center  
78R11334 JTS-D

C.S.H.B. 43  
By: Chisum (Armbrister)  
Natural Resources  
4/11/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, there is a question of whether a person may serve on the Texas Council on Environmental Technology (council) if that person is an employee or an owner of an entity that applies for a grant from the council. C.S.H.B. 43 requires a person on the council to disclose the fact of employment by or ownership of an applying entity and prohibits that person from voting or participating in the awarding of a grant for that entity. This bill also adds certain actions the council is required to take to assist in developing solutions for certain problems and authorizes the council to collect a fee from a grant recipient under certain conditions.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 387.002(b), Health and Safety Code, to add competing for and managing federal grants and funds from other sources available for carrying out the objectives of the council and entering into public-private partnerships to facilitate development of environmental technology infrastructure in this state to the list of actions the Texas Council on Environmental Technology (council) is required to take to enhance the entrepreneurial and inventive spirit of Texas to assist in developing solutions to certain problems.

SECTION 2. Amends Section 387.003, Health and Safety Code, by adding Subsection (c) to authorize the council, when making a grant under the program, to collect a fee from the grant recipient in an amount not to exceed five percent of the amount of the grant to be used by the council only for certain purposes.

SECTION 3. Amends Section 387.005, Health and Safety Code, by adding Subsection (f), to require the member, before the vote on the grant, to disclose the fact of the member's employment or ownership, if a member of the council is an employee or owner of an entity that applies for a grant under this chapter. Requires the disclosure to be entered into the minutes of the meeting. Prohibits the member from voting on or otherwise participating in the awarding of the grant. Provides that the entity is not eligible for the grant, if the member does not comply with this subsection.

SECTION 4. Amends Section 387.008(a), Health and Safety Code, to make a conforming change.

SECTION 5. Effective date: upon passage or September 1, 2003.