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Colonia Legislation in Texas

Since 1989, the Texas Legislature has enacted a series of bills and resolutions to address the issues associated with border colonias, designed to improve the quality of life for residents. These laws have focused on the delivery of water and wastewater services, improving health and safety infrastructure and halting colonia proliferation.

- [79th Regular Session of the Texas Legislature \(2005\)](#)
- [78th Regular Session of the Texas Legislature \(2003\)](#)
- [77th Regular Session of the Texas Legislature \(2001\)](#)
- [76th Regular Session of the Texas Legislature \(1999\)](#)
- [75th Regular Session of the Texas Legislature \(1997\)](#)
- [74th Regular Session of the Texas Legislature \(1995\)](#)
- [73rd Regular Session of the Texas Legislature \(1993\)](#)
- [72nd Regular Session of the Texas Legislature \(1991\)](#)
- [71st Regular Session of the Texas Legislature \(1989\)](#)
- [70th Regular Session of the Texas Legislature \(1987\)](#)

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79th Regular Session of the Texas Legislature (2005)

SB 827 Texas Government Code, Chapters 405, 487, 775 and 2306
 Texas Health and Safety Code, Chapter 1001
 Texas Transportation Code, Chapter 201
 Texas Water Code, Chapter 6

Author: Zaffirini
Sponsor: Guillen

Signed by Governor Rick Perry on June 17, 2005

Bill Analysis

Requires the Office of the Secretary of State to establish and maintain a statewide classification system to track state-funded projects related to water/wastewater, road paving and other assistance to colonias. It will require the colonias ombudsmen, Office of Rural Community Affairs, the Water Development Board, the Transportation Commission, the Department of Housing and Community Affairs, the Department of State Health Services, and/or any other appropriate agency as determined by the Secretary of State to report information

to the Secretary of State for the classification system and the Secretary of State to compile and report this information to the legislature by December 1 of each even-numbered year. The classification system includes only counties within 62 miles of an international border.

SB 1202 Texas Government Code, Chapters 775 and 2306

Author: Lucio

Sponsor: Chavez

Signed by Governor Rick Perry on June 17, 2005

Bill Analysis

SB 1202 increases the number of agencies involved with colonia initiatives and requires the State-designated coordinator, the Secretary of State, to work collectively with these agencies on future colonia projects. Each agency is to designate a representative who will act as liaison between the coordinator and the agency and advise the coordinator during colonia projects. The coordinator is to also work with the colonia resident advisory committee in developing strategies and recommendations for colonia initiatives.

SB 425 Texas Government Code, Chapter 775
Texas Local Government Code, Chapters 212 and 232
Texas Utilities Code, Chapters 37 and 54
Texas Water Code, Chapters 16 and 17

Author: Hinojosa

Sponsor: Luna, Seaman

Signed by Governor Rick Perry on June 17, 2005

Bill Analysis

Amends the Local Government, Government and Water Codes so that a county that is located within 100 miles of an international border containing a city with a population of more than 250,000 can:

- a. prevent future substandard residential subdivisions from developing
- b. receive the assistance of the SOS Colonia Ombudsman Program
- c. be eligible for EDAP Funds

HB 467 Texas Local Government Code, Chapters 212 and 232
Texas Water Code, Chapters 15, 16 and 17

Author: Bailey, Howard, Olivo

Sponsor: Gallegos

Signed by Governor Rick Perry on June 18, 2005

Bill Analysis

Authorizes any city, county or EDAP applicant in the state that applies for EDAP

assistance to enforce the Model Subdivision Rules. Redefines “economically distressed area” and “political subdivision” by removing the requirement that the county have an average per capita income that is at least 25 percent below the state average for the most recent three consecutive years for which statistics are available. Redefines term “affected county” to be a county that has an economically distressed area which has a median household income that is not greater than 75 percent of the median state household income.

HB 1924 Texas Occupations Code, Chapter 162

Author: Chavez

Sponsor: Shapleigh

Signed by Governor Rick Perry on June 17, 2005

Bill Analysis

Requires the State Board of Medical Examiners to grant a health organization (recognized as a hospital district capable of receiving grants by a federal agency or federally qualified health center) the ability to employ physicians if it is located in a county that is located on the border and contains a population of more than 650,000.

HB 1823 Texas Local Government Code, Chapter 212
Texas Property Code, Chapter 5

Author: Dutton

Sponsor: Lucio

Signed by Governor Rick Perry on June 18, 2005

Bill Analysis

Redefines the rights and benefits of contract-for-deed or lease-to-own homebuyers to reflect those given to any other type of homebuyer. Further reinforces protections passed in 2001 by allowing these types of buyers to obtain a title to their property without alteration of the initial financial agreement made with the seller. Sellers will maintain the same rights and privileges as any other entity financing a home sale.

HB 775 Texas Government Code, Chapter 487

Author: Gonzalez

Sponsor: Lucio

Signed by Governor Rick Perry on June 18, 2005

Bill Analysis

Amends the Government Code to require the Office of Rural Community Affairs to adopt a rule requiring a political subdivision that receives community development block grant program money targeted toward street improvement projects to allocate a percentage of those funds towards installation of street

lights in colonias.

78th Regular Session of the Texas Legislature (2003)

HB 1875 Texas Water Code, Chapter 966 and 1234
Author: Wise
Sponsor: Lucio
Signed by Governor Rick Perry on June 20, 2003

Bill Analysis

Allows the rural water assistance fund to be used to provide low interest loans to rural political subdivisions for water or water related projects and for water quality enhancement projects.

Allows the rural water assistance fund to be used to enable a rural political subdivision to obtain water or wastewater service supplied by larger political subdivisions or to finance the consolidation or regionalizing of neighboring political subdivisions.

Establishes the colonia self-help account as an account in the water assistance fund that may be used by the Texas Water Development Board only for purposes described in the Water Code.

HB 3420 Texas Government Code, Chapter 1403
Authors: Garza, Guillen
Sponsor: Madla
Signed by Governor Rick Perry on June 18, 2003

Bill Analysis

Provides for a set-aside of funds generated from the general obligation bonds issued under S.B. 1296, 77th Session, for specific colonia access roadway projects proposed by rural border counties.

77th Regular Session of the Texas Legislature (2001)

SB 1296 Texas Government Code, Chapter 1403
Author: Lucio
Coauthors: Shapleigh, Sibley, Truan, Zaffirini
Sponsors: Flores
Signed by Governor Rick Perry on June 14, 2001

Bill Analysis

Allows the Texas Public Finance Authority to issue general obligation bond and notes with the proceeds to be used to aid counties to fund roadway projects to serve colonias.

HB 2700 Texas Government Code, Chapter 531
Texas Local Government Code, Chapter 386
Author: Chavez, Puente, Wohlgemuth, J. Solis, Chisum
Sponsors: Duncan
Signed by Governor Rick Perry on June 13, 2001

Bill Analysis

Requires the Health and Human Services Commission to establish telemedicine pilot programs in medically underserved areas; provides for reimbursement and regulation of telemedicine services.

SB 1 (General Appropriations Act, 2002-2003)
Author: Ellis, Rodney
Sponsors: Junell
Signed by Governor Rick Perry on June 17, 2001

Bill Analysis

Establishes the Texas Bootstrap Loan Program to provide low-income families with loans to purchase or refinance real property. Appropriates funding for the Colonia Model Subdivision Revolving Loan Program and the Contract for Deed Conversion Program.

HB 1053 Texas Tax Code, Chapter 311
Author: Coleman
Sponsors: Gallegos
Signed by Governor Rick Perry on June 16, 2001

Bill Analysis

Authorizes municipalities and counties to create commercial and industrial development zones in areas of pervasive poverty, unemployment, or economic distress to promote and encourage commercial and business development.

SB 198 Texas Property Code, Chapter 5
Author: Moncrief
Sponsors: Carter, Wise
Signed by Governor Rick Perry on June 13, 2001

Bill Analysis