

# **A Report Relating to the Coordination of Colonia Initiatives and Services to Colonia Residents**

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**Roger Williams, Secretary of State  
Office of the Texas Secretary of State**

**December 1, 2006**



**Submitted in Compliance with SB 1202 of the 79<sup>th</sup> Regular Session**

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## ***Transmittal Letter***

December 1, 2006

The Honorable David Dewhurst  
The Honorable Thomas R. Craddick  
Members of the 79th Legislature

Fellow Texans:

In 2006, the 79th Legislature passed Senate Bill (SB) 1202, authored by Senator Lucio, relating to the coordination of colonia initiatives and services to colonia residents. SB 1202 requires the colonia initiatives coordinator in the Texas Office of the Secretary of State to work with designated agencies and consult with the Colonia Resident Advisory Committee (C-RAC). The intention of this collaboration is to improve services delivered to colonia residents by developing a state-level strategy to address their needs and submit recommendations to the legislature based on that strategy.

In accordance with SB 1202, the colonia initiatives coordinator is required to submit a report to the Legislature. The report includes recommendations provided by the C-RAC and the actions taken by the colonia initiatives coordinator to address those recommendations; outlines a long-range state-level strategy; and makes recommendations to address the needs of colonia residents. I am pleased to present this information in *A Report Relating to the Coordination of Colonia Initiatives and Services to Colonia Residents*, which can be found in our website at

<http://www.sos.state.tx.us/border/colonias/>.

I wish to thank the various state agencies for taking the time to assist my office in this endeavor.

I hope you will find the information in this report helpful in addressing colonia issues and in your deliberations to improve the quality of life of colonia residents in our great state. Thanks for all that you do for Texas.

Sincerely,

## Acknowledgements

This report is truly a collaborative effort between the following state agencies:

Office of the Attorney General: Edna Ramon Butts, Amy Jones

Office of Rural Community Affairs: Steve Mendoza, Eric Beverly

Office of the Texas Secretary of State: Buddy Garcia, Yvette Gonzalez, Helena Escalante, Alfonso I. Casso

Texas Commission on Environmental Quality: Steve Niemeyer, Dorothy Young

Texas Department of Housing and Community Affairs: Raul Gonzales, Homero Cabello, Robb Stevenson

Texas Department of Insurance: Gloria Leal

Texas Health and Human Services Commission: Edli Colberg, David Luna

Texas Department of State Health Services: Kassie Rogers

Texas Water Development Board: Neil Haman, Francina Harutunian, Tom Tagliabue, Robert Ruiz

Texas Department of Transportation: Laura Perez

The work of the group was also greatly enhanced by the preliminary fieldwork of the Colonia Resident Advisory Committee and the Colonia Ombudsmen of the Secretary of State. The Ombudsmen are:

Cameron County: Enriqueta “Keta” Caballero

El Paso County: Ricardo Hernandez

Hidalgo County: Eunice Garcia, Jaime Longoria

Maverick County: Domingo Davalos

Starr County: Blanca Juarez

Webb County: Jorge Negrete

## Executive Summary

In accordance with SB 1202, 79<sup>th</sup> Regular Session, the Office of the Texas Secretary of State (SOS) and the Texas Department of Housing and Community Affairs (TDHCA) coordinated with the Colonia Resident Advisory Committee (C-RAC) to conduct two meetings on May 23, 2006, in Pharr and July 18, 2006, in El Paso. Participants included colonia residents, C-RAC members, nonprofit organizations, and others working in colonias spanning the entire Texas-Mexico border. The purpose of the meetings was to solicit the ongoing needs and concerns of colonia residents and use that input to develop strategies for solutions to reoccurring colonia issues and to provide recommendations to the state legislature.

Many concerns were raised during the meetings, ranging from well-documented needs such as health care, housing and basic infrastructure to less publicized needs that are nevertheless important to many colonia residents, such as the need for social services to address domestic violence and after school programs.

Although a vast array of state-level programs and services has been developed to improve the quality of life in colonias, there are still colonia residents who are unable to access these services due to lack of awareness and/or transportation. Some comments of the C-RAC meeting participants demonstrated a lack of awareness of existing programs and ways to access those programs. The colonias initiative coordinator, with the assistance of the SB 1202 Interagency Workgroup, developed a state-level strategy along with recommendations to address the needs of colonia residents based on the advice of the C-RAC Members.

The principal strategies that the workgroup developed in response to the C-RAC recommendations are in the area of *education, self help, and sustainability*. These are detailed in Chapter 8, Conclusions and Recommendations.

## Introduction

Since the creation of the Colonia Initiatives Program in the Office of the Secretary of State in 1999, the colonia initiatives coordinator has chaired the Texas Interagency Coordination Group. This consortium of 13 bi-national, federal, and state funding and regulatory agencies gathers to discuss project timelines and issues on a quarterly basis. This collaboration serves as a significant venue to improve the coordination of information and planning for the state's efforts to improve conditions and quality of life in colonias along the Texas-Mexico border. The group:

- Collaborates on and coordinates specific infrastructure project information and data;
- Identifies project barriers that allows for immediate collective problem solving;
- Expedites the delivery of basic services to colonia residents; and
- Provides agency updates on progress in colonia initiatives and projects.

SB 1202, 79<sup>th</sup> Regular Session, creates a mechanism to ensure that recommendations from the Colonia Resident Advisory Committee are considered when state agencies are developing strategies to address the quality of life in colonias. SB 1202 enhances state collaboration with colonia residents.

The following agencies participated in the SB 1202 Interagency Workgroup:

- (1) the Office of the Attorney General;
- (2) the Texas 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 Texas Department of Insurance;
- (8) the Texas Department of Transportation; and
- (9) the Texas Health and Human Services Commission.

Based on the comments received at the C-RAC Meetings, the workgroup finds that there is a communication gap between colonia residents and local officials and leaders. This highlights the need for increased outreach at the local level. Many of the services cited by the C-RAC Members as insufficient or lacking are within local jurisdiction. For example, at one of the meetings, a colonia resident expressed the need for after-school and summer programs, which can be delivered by local school districts and nonprofit

organizations. The lack of outreach may be due to a number of factors including limited local resources and the geographic isolation of some colonia residents. In addition, the workgroup finds that colonia residents face a number of challenges in accessing information about existing state-level resources, which highlights the need for the creation of a state-level awareness campaign.

## **Chapter 1**

### **Public Transportation**

#### **C-RAC Concerns**

Colonia residents expressed concern over the lack of public transportation options in many of the colonias. Frequently cited were the impact of rising gasoline prices on family budgets and decreased independence resulting from the extra cost of traveling into the city. Residents expressed concern about dependence on personal vehicles to attend their places of employment, medical appointments and routine visits to retail areas to buy groceries and clothing items. Costs to repair and maintain vehicles were also a concern that led to the expressed need for public transportation.

#### **C-RAC Recommendations**

Colonia residents recommended some form of low-cost public transportation such as a public train line, at a low-cost fare; possibly utilizing existing commercial lines that could be converted to public use to serve the rural areas.

## **Chapter 2**

### **Public Services**

#### **C-RAC Concerns**

- A. Lack of law enforcement presence in colonias led to various concerns such as: speeding vehicles, driving while intoxicated, distribution of illegal substances, gangs, fighting and vandalism within the colonias. Residents expressed that children, in particular, were vulnerable to being victims of these crimes as they are committed in the same streets where the children play.
- B. Lack of EMS/Fire response led to concerns over homes that have substandard construction, and that those substandard homes represent an immediate danger because of the possibilities of fires erupting in very dry conditions. In some colonias there is no local emergency response from firefighter units to assist in controlling these fires. Also, there is a lack of emergency response to the colonias in cases of severe weather conditions such as flash flooding and damaging winds. It was also noted that colonia housing may be substandard and as such may not withstand severe weather as well as most structures.
- C. Colonia residents complain that domestic violence is common in colonias, but it is not often addressed for many reasons: infrastructure and other such needs receive the majority of the attention, lack of shelters for women and children to go to, lack of social services and social workers, lack of police, fear of reporting domestic violence due to ignorance or fear of immigration/residency problems.
- D. Lack of adequate public lighting has raised concerns over vehicle accidents, incidents of near misses with other vehicles and accidents involving pedestrians. Inadequate lighting has also encouraged criminal activity in many colonias, causing distress among the colonia residents.
- E. Lack of animal control was a concern because many of the children play within close proximity to stray animals that are increasing in numbers and in some cases bring infestations of fleas and ticks and the threat of rabies.

#### **C-RAC Recommendations**

- A. Colonia residents recommended that law enforcement officers patrol colonias much more often to deter criminal activity.
- B. The development of some type of emergency response system was recommended by colonia residents so that firefighter units can assist with incidents of fires that are occurring in the colonias, especially in the dry summer conditions.
- C. Residents recommended that money be appropriated to build shelters and provide services to victims of domestic violence including counseling and education.

- D. Residents recommended that public street lighting be installed in various areas so as to prevent possible accidents with pedestrians and vehicles and aid in deterring criminal activity in the area.
- E. Colonia residents recommended that local animal control units come into the colonias regularly to collect and monitor stray animals in the vicinity. Also, recommended was the possibility of arranging low-cost vaccinations and spay and neutering services for pets in order to control diseases, infestations and population.

## **Chapter 3**

### **Public Facilities**

#### **C-RAC Concerns**

- A. Colonia residents have expressed the need for educational outlets and public internet access.
- B. Public recreational areas are needed that would allow colonia residents the opportunity to maintain physical fitness, relieve physical stress and encourage healthy lifestyles including family interaction with children.
- C. The lack of public facilities in the colonias, especially during summer vacation, means children have few organized activities in which to involve themselves and remain active throughout the day; thus, causing issues of misconduct, such as fighting with other children and vandalism.
- D. There is a need for healthcare including local medical clinics for twenty-four hour emergencies to take care of situations that require immediate attention at any given time of the day or night and health education for the prevention of high blood pressure, cholesterol and diabetes.

#### **C-RAC Recommendations**

- A. Colonia residents have recommended an overall effort by local and state officials to aid and assist with what many colonia residents view as significant and essential public facilities. These public facilities will allow colonia residents the opportunity to develop vital educational skills for both the children and adults of the colonias.
- B. Residents recommended that parks and recreational areas be constructed.
- C. Residents recommended providing on-site medical services or facilities that could serve a number of surrounding colonias with direct health care and health education services.

## Chapter 4

### Public Utilities

#### C-RAC Concerns

- A. Residents indicated that while many of the larger colonias have obtained public utilities, many smaller colonias are still in need of basic utilities in the form of water and wastewater services. Also needed is proper drainage and flood control within the colonias because there is a serious concern of health outbreaks in relation to water and wastewater that has accumulated in various areas of the colonias that could lead to environmental health risks.
- B. Many colonias still experience inadequate trash collection or trash containers to dispose of solid waste causing an accumulation of excess garbage in and around the colonias. Some colonias have created garbage dumps within the vicinity of the colonias, which represents a health hazard to many of the children who play in those areas and has also created infestations in the past. Because of excess garbage many colonias residents have resorted to burning excess garbage in order to lessen the amount of solid waste in their area causing a concern over illegal burning of solid waste products and the potential fire and health hazards involved.
- C. Landfills were also a concern. Colonia residents cited unhealthful proximity of landfills, poorly maintained landfills, impact of landfills on groundwater and lack of landfills resulting in garbage accumulation and illegal dumping.
- D. Public officials expressed concern over water certificates of convenience and necessity (CCN) boundaries, citing that many colonias fall in areas that aren't within any provider's boundaries or that other colonias are within one provider's boundaries, but are not receiving services that could be provided service by a different provider.
- E. Public officials expressed concern and frustration over colonia residents who would not grant easements so that public services could be provided. The officials also feel that current legislation regarding eminent domain is too difficult or costly for them to both acquire easements and provide services with limited funds.
- F. Colonia residents complained about continual "catch-22s" – they can't get water without sewer and they can't get sewer without water. If they don't have either, then they can't get electricity or access the aid of other government programs. Also, above ground water tanks are not considered as a valid public water source even if past government programs came in and funded the water tanks to provide water. Residents who were provided with these water tanks are not allowed to access other government programs such as housing rehabilitation, because they don't technically have a water system.

## **C-RAC Recommendations**

- A. Residents from some of the colonias have requested and recommended that public and state officials attempt to resolve the issues of a deficiency of water and wastewater services in the smaller colonias by coordinating with local officials to develop public utilities in these rural areas and creating retention ponds to aid in the prevention of flooding within colonias areas.
- B. Colonia residents have recommended the idea of including the cost of solid waste pick-up thru the monthly water bill and/or placing large containers in the colonias for trash disposal. These trash containers can be strategically placed in the colonias so as to avoid dumping from other areas. Another recommendation was to turn to private garbage collection services, where available, this would involve drumming up support from within the community to show a private company that there are enough interested households for the service to be cost-effective.
- C. Webb County Colonia Self-Help Center has implemented a weekly trash pick-up at each household and a six-month pick-up of larger trash items to deter burning of trash in the colonias. This plan has become an effective program and recommendations have been set forth for Webb County Self-Help Center trash pick-up as a possible model program for other counties to accomplish.
- D. Public officials recommended that the legislation governing the lines of water districts be looked at and that the closest water district to a colonia should be the one to provide services as opposed to the water district that may have the rights for a given area.
- E. Public officials recommended that the laws governing eminent domain be looked at and possibly changed in a way that would allow a county/city to easily acquire easements to supply public services to colonias.
- F. Residents recommended that “certificates of compliance” be reexamined and that any codes or regulations requiring one service to be present or up to a specific standard before getting another public service be loosened up or exempted in the colonias for a certain period of time.

## **Chapter 5**

### **Health Issues**

#### **C-RAC Concerns**

- A. Residents perceive that, due to very poor living conditions in the border colonias, there are still many diseases that are rampant in many areas of the border colonias which are uncommon throughout other colonias around the state and have become very serious public health issues for residents living in and outside the border colonias. Residents indicate that communicable diseases such as tuberculosis, influenza, Lyme disease; water-borne illnesses such as cholera, typhoid and malaria and food-borne illnesses related to inadequate water utilities have all become very serious health conditions in the colonias because of the lack of proper medical treatment and public utilities to properly dispose of excess waste products. Residents attest that many of these public health conditions have come close to epidemic proportions in some colonias and represent a severe health hazard to colonia residents and other residents surrounding the colonia areas.
- B. Residents complained that the CHIP Program makes it impossible for children of colonia residents, without Social Security identification, to obtain medical services, thus causing many colonia children to go without necessary medical attention.
- C. Residents attest that the CHIP Program charges colonia residents for medical visits, a co-payment at the clinic and then may require extra funds from colonia residents for any necessary prescribed medications which can be financially burdensome for many of the colonia residents. Because of this issue, many colonia residents have chosen not to use the program as much because of these issues therefore causing many colonia children to go without proper or adequate medical attention.

#### **C-RAC Recommendations**

- A. A recommendation was made for state and local officials to develop a long-term commitment for the provision of basic medical and public utility services for the colonias.
- B. Recommendations such as affordable medical clinics, water and wastewater disposal and adequate solid waste/trash collection were strongly expressed by the colonia residents because of very serious concerns of possible disease outbreaks in the colonias that can develop into epidemic proportions throughout the border region which might not necessarily exist in other areas of the State.
- C. Colonia residents also recommended an expansion of health and public education awareness programs for preventative health and safety measures.

## **Chapter 6**

### **Housing Issues**

#### **C-RAC Concerns**

- A. Colonia residents and advocates expressed that House Bill 1001, which was meant to stop the proliferation of colonias, did nothing to address the issue of affordable housing and fostered the illusion that colonia housing issues have been resolved. Residents and advocates feel that there is the perception that border colonias have been assisted sufficiently and that other areas of the state now want the focus of attention in obtaining extra colonia funding while the problem of affordable housing persists.
- B. Colonia advocates stated that HB 1001 drove up the cost of colonia lots to \$17,000 or more. Consequently, new colonias actually exhibit worse housing stock than the old ones. High land prices (with basic infrastructure) plus high interest rates on some mortgages, which can reach upwards of 14% to 18%, and the rising cost of materials for new housing has forced many residents of new colonias to put off much needed renovations and improvements to their properties or to remain in inadequate trailer homes.
- C. There have been numerous concerns of very weak to no legal deed restrictions and building code restrictions of multiple dwellings on a single property including the multiple uses of public utilities on a single property. These deficiencies are causing overcrowding issues on single properties including junkyards being located in close proximity to other single property homes causing health and safety issues such as pests around junkyards and children in the area. Colonia residents claim that they cannot have the properties re-platted and are not able to subdivide because it then becomes in conflict with the Colonia Model Subdivision Rules.
- D. The concern was expressed that additional Self-Help Centers (SHC) are in the process of being established in other counties around the border region and funding needed to develop these new SHC is coming directly from current budget allocations. Since there are no new allocations for these new SHCs, funding is being taken away from existing SHCs to offset the costs of developing new SHCs. These funding decreases from existing SHCs have caused a loss of impact in providing services to colonia residents. Advocates also expressed that SHCs are limited to providing services to colonias built before 1995; however, there are major housing issues in new colonias.
- E. Homebuyers Assistance Program requires purchasing of property (lot) for total eligibility activities and currently only \$10,000 is set aside by the program. Since cost of housing is increasing it has become difficult for nonprofit organizations to assist without a large investment on their side.

## **C-RAC Recommendations**

- A. Colonia residents recommended a re-visiting of HB 1001 to determine what various aspects of the bill hinder the development of affordable housing so that future legislation can amend such issues.
- B. Colonia advocates promoted different financing models to stretch government grant dollars. The idea would be to marry the private market with public assistance to dilute the high cost of homeownership for low-income families. A change in philosophy was also recommended to always include the colonia residents as partners, not clients and to take advantage of the resources that they can provide through self-help programs and sweat equity.
- C. Colonia residents and representatives recommended the need for building code restrictions to prevent substandard housing that could be considered a safety hazard. Recommendation to allow for family partitions on property (lot) to subdivide to only a certain amount of lots that can be on one property.
- D. Colonia residents expressed an interest in developing a lending source to assist colonias in the remodeling or rebuilding of new home construction such as a tools library and extra Self-Help Centers including increasing funding to assist SHC so that they can still provide colonia assistance effectively including alternatives to current programs to meet housing needs and assist colonias residents regardless of when their home was built and including the creation of sustainable models by developing a relationship with outside private sector resources to encourage better infrastructure and housing.
- E. Colonia residents and advocates recommended a re-shifting of Conversion for Deed funds for assistance in financing for rehabilitation and/or new home construction and to consider alternative programs to assist colonia residents to obtain property and provide for lower interest rate refinancing so as to allow colonia residents the ability to afford remodeling or rebuilding of homes.
- F. Colonia residents also seek a recommendation of expanding the Housing Trust Fund and retooling the Texas Bootstrap Program to assist colonia residents with rising costs of housing construction.

## **Chapter 7**

### **Community Issues**

#### **C-RAC Concerns**

- A. Colonia residents emphasized more effort from public officials to arrange and attend community meetings to encourage communication and decrease misunderstandings between colonia residents and public officials and nonprofit organizations that assist colonia residents.
- B. Concern was expressed over predatory lending practices that prey on colonia lot purchasers. The elimination of the contract for deed in colonia areas in favor of a Warranty Deed has allowed residents to gain title to their property; however it has also been accompanied by high interest rates. Residents complain that they end up paying only interest and never build equity.
- C. Residents expressed concern over the various laws regulating the growth of colonias. They indicated that they were still abused by predatory lending and lack of information disclosure when purchasing land. It was expressed that subdividers/developers told residents that water would be available through many sources such as a future public line or private well; but, in reality, public water is not available and uncontaminated groundwater may be too deep to be affordable to reach if it is present at all.
- D. Colonia representatives and public officials were concerned about lack of enforcement of existing regulation regarding colonia proliferation because of lack of support from the attorney general's office, lack of funding for local enforcement, and developers/subdividers finding ways around existing regulations. Subdividers are cutting up ranches into lots greater than 10 acres to get around installing services in many areas – families are purchasing and then further subdividing on their own, creating mini-colonias.
- E. Colonia residents expressed confusion over the various avenues for assistance and which agencies or nonprofits that they should be contacting.
- F. It was expressed by colonia residents and advocates that there has been very little contact with and virtually no coordination of services from Secretary of State Ombudsman in Hidalgo and El Paso Counties.

#### **C-RAC Recommendations**

- A. Colonia residents expressed an interest in a recommendation to increase public participation and a recommendation that included the concept of having jurisdictional boundaries that have limited partnership to aid and assist colonia residents.
- B. Residents suggested increased funding for state financing programs.

- C. It was recommended that the existing legislation governing the development of colonias be reexamined to see if it is still meeting the objective of stopping proliferation and if not, to develop new legislation. New legislation was also recommended to curb predatory lending and increase disclosure in real estate transactions.
- D. It was recommended that funding be increased so that the Texas Attorney General's Office can identify and prosecute developers that violate the law or for funding to be allocated to the counties to enforce regulation locally.
- E. Colonia residents called for increased outreach, distribution of information, advertising campaigns and education programs on the part of the state to show what resources are available.
- F. Colonia residents recommended a complete involvement by the Ombudsman and assistance of defining how colonia residents and representatives coordinate with various public entities to solve the issues of misunderstanding between various organizations and colonia residents.

## Chapter 8

### Conclusions and Recommendations

Analysis of the C-RAC meeting transcripts indicated that the resolution of many of the concerns and recommendations offered for state consideration during those meetings were outside of the scope of state assistance and would more appropriately be addressed by local resources. It was further revealed that many of the C-RAC meeting participants were unaware that several of the issues raised are currently being addressed through existing federal, state and local programs. Therefore, the information gathered from the C-RAC meetings underscores the need for additional outreach and the creation of a concerted awareness campaign to inform colonia residents on existing resources and who to contact to access the assistance.

An example of the grants and programs that are being utilized in the colonias counties can be found in Appendix E, the "Texas Attorney General Victim Assistance Programs," which addresses residents' concerns regarding domestic violence.

Increased communication and coordination between state and local entities regarding available resources may help to close the gap in services that are experienced by many colonia residents. Likewise, increased communication between colonia residents and their locally elected officials will provide for better representation and increased awareness of services that are available locally. However, information garnered from the C-RAC meetings indicated more than a need for increased state and local level outreach; public policy must be developed that promotes community development and encourages colonia residents to provide solutions to needs from within their own communities.

The provision of services still lacking in colonia areas could be addressed through the continuation of the Interagency Coordination meetings of bi-national, federal and state agencies which are facilitated by the Texas Secretary of State's Office (SOS). The information derived from the C-RAC meetings will be incorporated into these meetings with the agency liaisons designated to work with and coordinate efforts to address colonia issues.

As outlined below, the SB 1202 workgroup has developed strategies and recommendations with an emphasis on developing the capacity of colonias to meet their own needs and on providing educational resources to assist the residents in how to work with their local, state and federal government officials to access existing resources.

#### *I. STRATEGIES:*

##### *Education*

**Strategy 1: To educate and inform colonia residents through a public awareness campaign about the availability of local, state, federal, and non-profit resources to address public transportation, public services, public facilities, public utilities, health care, housing, and other community issues.**

*Implementation/Activities:*

- Provide funding to develop a bilingual resource guide to be disseminated to colonia residents. The resource guide would provide contact information for funding sources and other available programs for colonia residents.
- Disseminate resource guides through a variety of channels, such as colonia resident meetings, self help and community centers, non-profit organizations, the Secretary of State's Colonia Ombudsmen, promotoras and other community advocates.
- Conduct regional multi-agency workshops for colonia residents on available resources (federal, state, local, and private).

***Self Help***

**Strategy 2: Increase support for colonia self help programs and activities.**

*Implementation/Activities:*

- Expand TDHCA's Colonia Self Help Centers and the Texas A&M Center for Housing and Urban Development Colonia Community Centers.
- Increase General Revenue funding for the self help programs at the Texas Water Development Board, the Office of Rural Community Affairs and the Texas Department of Housing and Community Affairs.

***Sustainability***

**Strategy 3: Build local capacity to maximize federal, state, and local resources.**

*Implementation/Activities:*

- Strengthen financial, managerial, and technical capacity of utility service providers that provides services to colonias.
- Operations and maintenance needs of water and wastewater systems are not always met due to inadequate financial, managerial, and technical capabilities, including poor management and low rate structures. Consider the creation of a program at the funding agency that requires and monitors annual financial, managerial, and technical assessment reviews and provides assistance to qualify for state grant funding.

**II. PROGRAMS/GRANTS:**

1. Recommend the funding of Texas Water Development Board's Economically Distressed Areas Program II to address the new and remaining water and wastewater needs as a result of passage of House Bill 467, 79<sup>th</sup> Regular Session.

2. Ensure ongoing funding to support the Texas Department of Transportation's Colonia Access Program, as appropriate.
3. Amend the Contract for Deed Conversion Program to allow for refinancing of high interest loans.
4. Support increased funding for the Bootstrap Program at the Texas Department of Housing and Community Affairs.
5. Support increased funding for the Office of Rural Community Affairs' Colonia Programs and the Texas A&M Center for Housing and Urban Colonia Community Centers.
6. Support increased funding for the self help programs at the Texas Water Development Board, the Office of Rural and Community Affairs and the Texas Department of Housing and Community Affairs.
7. Compile data on factors affecting access to health care and the effect on colonia residents. Review data to identify opportunities to impact root causes through policy changes and mobilization of community efforts.
8. Provide additional funding for enforcement of the Model Subdivision Rules.

## Appendix A

### Colonia Resident Advisory Committee

#### **Cameron County**

*(Primary)*

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## **Appendix B**

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## **Appendix C**

### **GLOSSARY AND LIST OF ACRONYMS**

- CHIP – Children Health Insurance Program
- C-RAC – Colonia Resident Advisory Committee
- DSHS – Texas Department of State Health Services
- EDAP II – Economically Distressed Areas Program II
- HUD – U.S. Department of Housing and Urban Development
- OAG – Office of Attorney General
- ORCA – Office of Rural and Community Affairs
- OSFR – Office of State Federal Relations
- Promotoras – Community outreach workers
- SOS – Office of the Texas Secretary of State
- SOS OMBUDSMAN – Regional Representatives for Colonias Initiatives.
- TCEQ – Texas Commission on Environmental Quality
- TDHCA – Texas Department of Housing and Community Affairs
- TDI – Texas Department of Insurance
- TWDB – Texas Water Development Board
- TXDOT – Texas Department of Transportation

## Appendix D

S.B. No. 1202

### AN ACT

relating to the coordination of colonia initiatives and services to colonia residents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 775.002, Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (f) to read as follows:

(c) The colonia initiatives coordinator shall [~~may~~] 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 ~~[Texas]~~ Department of State Health Services;
- (3) the Texas Department of Housing and Community Affairs;
- (4) the Texas ~~[Natural Resource Conservation]~~ Commission on Environmental Quality; ~~[and]~~
- (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.

(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.

SECTION 2. Chapter 775, Government Code, is amended by adding Section 775.004 to read as follows:

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

SECTION 3. Section 2306.585, Government Code, is amended by adding Subsection (c) to read as follows:

(c) The advisory committee shall advise the colonia initiatives coordinator as provided by Section 775.004.

SECTION 4. (a) Not later than December 1, 2006, the colonia initiatives coordinator shall submit a report to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature.

(b) The report must:

(1) document:

(A) the recommendations provided by the Colonia Resident Advisory Committee and any other similar committee to the colonia initiatives coordinator; and

(B) the actions taken by the colonia initiatives coordinator to address the recommendations;

(2) outline a long-range plan to improve the quality of life of colonia residents and propose legislation to implement the plan; and

(3) recommend appropriate programs, grants, and activities to address the needs of colonia residents.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

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President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1202 passed the Senate on April 21, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 1202 passed the House on May 25, 2005, by the following vote: Yeas 144, Nays 0, two present not voting.

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Chief Clerk of the House

Approved:

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Date

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Governor