

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

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ALL Districts

Transportation Code, §222.053(a), defines an “economically disadvantaged county” as a county that has, in comparison to other counties in the state: (1) below average per capita taxable property value; (2) below average per capita income; and (3) above average unemployment.

Transportation Code, §222.053(c), directs the Texas Transportation Commission (commission), when evaluating a proposal for a highway project in a political subdivision that consists of all or a portion of an economically disadvantaged county, to adjust the minimum local matching funds requirement after evaluating the political subdivision's effort and ability to meet the requirement.

Transportation Code, §222.053(f), requires the commission to certify a county as economically disadvantaged on an annual basis as soon as possible after the Comptroller of Public Accounts (comptroller) provides reports on the economic indicators listed above.

Title 43 TAC §15.55(b)(2) provides that, in determining the adjustment to the local matching funds requirement, and the local government’s efforts and ability to meet the requirement, the commission will consider a local government’s: (A) population level; (B) bonded indebtedness; (C) tax base; (D) tax rate; (E) extent of in-kind resources available; and (F) economic development sales tax.

Senate Bill 2168, 86th Legislature, Regular Session, amended Transportation Code §222.053 to expand the criteria used to determine a county’s eligibility to be classified as economically disadvantaged. The bill was signed on June 10, 2019 and effective immediately. Transportation Code, §222.053(a-1), provides that, notwithstanding Transportation Code §222.053(a), a county is considered to be an “economically disadvantaged county” if it meets the criteria as laid out in subsection (a) within the past six years and has been included in no less than five federally declared disasters within the same time period. Transportation Code, §222.053(a-2), provides that the adjustment to the local matching funds requirement shall be equivalent to the highest adjustment rate set in the last year the county was considered to meet the criteria.

The comptroller has provided the data needed to determine the counties eligible for the Economically Disadvantaged Counties Program for FY 2020. The commission has considered the counties’ efforts and ability to provide a local match using the criteria set forth in 43 TAC §15.55. In addition, the department has reviewed disaster declarations issued by the Federal Emergency Management Agency though the month of August 2019 in order to comply with the requirements of Senate Bill 2168. Exhibit A lists the eligible counties and the respective recommended local match adjustments. Exhibit B establishes additional local match adjustments for cities within these counties participating in the program.

IT IS THEREFORE ORDERED by the commission that the list of counties eligible for the FY 2020 Economically Disadvantaged Counties Program is certified and the local match adjustment for each county is established, as shown in Exhibit A, as well as additional adjustments for cities participating in the program, as shown in Exhibit B.

Submitted and reviewed by:

Director, Transportation Planning and Programming Division

Recommended by:

Executive Director

115595 SEPT 26 '19

Minute Number Date Passed

EXHIBIT A

Economically Disadvantaged Counties FY 2020

Eligible Counties	Adjustment %
Angelina County	49
*Bastrop County	95
Bee County	82
Bowie County	47
Brooks County	69
*Caldwell County	95
Calhoun County	37
Cameron County	77
Camp County	43
Cass County	57
Cherokee County	60
Cochran County	62
Crane County	35
Dawson County	66
Duval County	66
El Paso County	63
Floyd County	24
Franklin County	39
Freestone County	22
Grimes County	42
Hale County	66
Hall County	55
Harrison County	30
Haskell County	33
Hidalgo County	90
Hudspeth County	54
Jasper County	49
Jim Hogg County	95
Jim Wells County	68
Jones County	81
Kleberg County	68
Lamb County	58
Leon County	24
Liberty County	57
Limestone County	61

Eligible Counties	Adjustment %
Madison County	61
Marion County	45
Matagorda County	21
Maverick County	74
Milam County	54
Mitchell County	62
Newton County	60
Panola County	15
Pecos County	47
Polk County	55
Presidio County	39
Red River County	49
Robertson County	16
Rusk County	58
Sabine County	45
San Augustine County	43
San Jacinto County	63
Shelby County	53
Starr County	93
Stephens County	53
Terry County	71
Titus County	57
Trinity County	57
Tyler County	81
Upshur County	59
Uvalde County	56
Val Verde County	61
Walker County	80
Waller County	44
Wharton County	31
Wilbarger County	30
Willacy County	77
Wood County	51
Zapata County	78
Zavala County	67

*Met the standard criteria within the last six years and has been included in no less than five federally declared disasters within the same time period.

EXHIBIT B

Additional Adjustments for Cities Within an Economically Disadvantaged County FY 2020

Every eligible county receives an adjustment to its local match requirement ranging from 15 (minimum) to 95 (maximum) percent. A city within an economically disadvantaged county receives an adjustment equal to the adjustment for the county in which it is located, with the possibility of up to 10 additional percentage points based on its population and the existence of an economic development sales tax.

The two following tables depict the additional percentage points that cities may be granted.

Economic Development Sales Tax:

ADDITIONAL PERCENTAGE

YES	5%
NO	0%

Population:

ADDITIONAL PERCENTAGE

$x < 1,000$	5%
$1,000 < x < 2,000$	4%
$2,000 < x < 3,000$	3%
$3,000 < x < 4,000$	2%
$4,000 < x < 5,000$	1%
$x > 5,000$	0%