

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(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, for a county described by subsection (a-1), 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.

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, for a county described by Transportation Code, §222.053(a), 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. Title 43 TAC §15.55(b)(3) provides that, for a county described by Transportation Code, §222.053(a-1), the adjustment will be equivalent to the highest adjustment rate set in the last year the county was considered to meet the criteria set out in Transportation Code, §222.053(a).

The comptroller has provided the data needed to determine the counties eligible for the Economically Disadvantaged Counties Program for FY 2022. The commission has considered the counties’ efforts and ability to provide a local match using the criteria set forth in 43 TAC §15.55(b)(2). In addition, the department has reviewed disaster declarations issued by the Federal Emergency Management Agency through the month of August 2021 in order to comply with the requirements of Transportation Code, §222.053(a-1). 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 2022 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:

Recommended by:

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Director, Transportation Planning and Programming Division

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Executive Director

116142 October 28, 2021

Minute Date
Number Passed

EXHIBIT A

Economically Disadvantaged Counties FY 2022

Eligible Counties	Adjustment %
Angelina County	46
Atascosa County	51
Bailey County	60
Bastrop County*	95
Bee County	84
Bell County	41
Bosque County*	95
Bowie County	43
Briscoe County	15
Brooks County	72
Brown County	54
Burleson County*	95
Caldwell County*	95
Calhoun County*	95
Cameron County	75
Camp County	49
Cass County	57
Cherokee County	62
Cochran County*	95
Coleman County	54
Coryell County	61
Crosby County	44
Dawson County	65
Delta County*	95
Dickens County	54
Duval County	67
El Paso County	60
Ellis County*	95
Falls County*	95
Fannin County*	95
Floyd County	33
Franklin County	40
Freestone County	34
Gray County	48
Grimes County	41
Hale County	64
Hall County	61
Hardeman County*	95
Hardin County*	95
Harrison County	28
Haskell County*	95

Eligible Counties	Adjustment %
Henderson County*	95
Hidalgo County	88
Hill County*	95
Houston County*	95
Hudspeth County	82
Hunt County	50
Hutchinson County	37
Jasper County	51
Jefferson County	28
Jim Hogg County	93
Jim Wells County	63
Jones County	78
Kaufman County*	95
Kleberg County	59
Lamar County*	95
Lamb County	49
Leon County	28
Liberty County	93
Limestone County	63
Llano County*	95
Madison County	58
Marion County	48
Matagorda County	21
Maverick County	74
McCulloch County	55
Milam County	62
Mitchell County	59
Morris County	50
Nacogdoches County	54
Navarro County*	95
Newton County	60
Nueces County	26
Orange County	39
Palo Pinto County*	95
Panola County	21
Polk County	57
Real County	27
Red River County	49
Refugio County	32
Robertson County	25
Rusk County	56

Sabine County	44
San Augustine County	21
San Jacinto County	60
San Patricio County*	95
Shelby County	53
Smith County*	95
Somervell County	17
Starr County	93
Stephens County*	95
Terry County	60
Titus County	53
Trinity County	60
Tyler County	67

Upshur County	59
Uvalde County	47
Val Verde County*	95
Van Zandt County*	95
Walker County	71
Waller County	45
Webb County	63
Wharton County*	95
Wilbarger County	29
Willacy County	85
Wood County	47
Zapata County	95
Zavala County	68

*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 2022

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%