

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 2023. 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 2022 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 2023 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:

DocuSigned by: *Jessica Butler*
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Director, Transportation Planning and Programming Division

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Executive Director

116367 October 27, 2022

Minute Date
Number Passed

EXHIBIT A

Economically Disadvantaged Counties FY 2023

Eligible Counties	Adjustment %
Angelina County	57
Atascosa County	67
*Bastrop County	95
Bee County	95
Bell County	51
Bexar County	41
*Bosque County	95
Bowie County	55
Brooks County	85
*Brown County	95
*Caldwell County	95
*Calhoun County	95
Cameron County	86
Camp County	64
Cass County	65
Cherokee County	65
Cochran County	68
Coleman County	65
*Coryell County	95
Dawson County	80
Duval County	73
El Paso County	70
*Fannin County	95
*Franklin County	95
Freestone County	37
Garza County	95
Gray County	58
Gregg County	21
Grimes County	45
*Hardeman County	95
Hardin County	51
Harrison County	39
*Haskell County	95
Hidalgo County	95
*Hill County	95
Hockley County	41
*Houston County	95
Howard County	35
Hudspeth County	88
Hutchinson County	40
Jack County	47

Eligible Counties	Adjustment %
Jasper County	56
Jefferson County	41
Jim Hogg County	95
Jim Wells County	67
Jones County	87
Kleberg County	80
Leon County	27
Liberty County	68
Limestone County	64
Live Oak County	36
*Llano County	95
Madison County	47
Marion County	50
Matagorda County	58
Maverick County	70
McCulloch County	78
Milam County	70
Mitchell County	64
Morris County	46
*Nacogdoches County	95
Newton County	65
Nueces County	36
Orange County	50
Palo Pinto County	33
Panola County	32
Pecos County	43
Polk County	70
*Real County	95
*Red River County	95
Refugio County	37
Rusk County	77
Sabine County	44
San Augustine County	33
San Jacinto County	72
San Patricio County	28
Schleicher County	32
Scurry County	35
Shelby County	54
*Somervell County	95
Starr County	95
Terry County	70

*Titus County	95
Trinity County	60
Tyler County	88
Upshur County	65
*Uvalde County	95
Val Verde County	67
Walker County	83
Waller County	54

Ward County	15
Webb County	71
Wharton County	33
Willacy County	89
*Wood County	95
Yoakum County	39
Zapata County	95
Zavala County	81

*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 2023

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%