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**ADOPTION OF REVISIONS TO**

**43 TAC §57.36**

**INTRODUCTION.** The Motor Vehicle Crime Prevention Authority (MVCPA) adopts amendments to 43 Texas Administrative Code (TAC) §57.36 concerning level of funding for grant projects. The board adopts amendments to 43 TAC §57.36 without changes to the proposed text as published in the April 19, 2024, issue of the *Texas Register* (49 TexReg 2457). The rule will not be republished.

**REASONED JUSTIFICATION.**

Transportation Code §1006.151(a) and §1006.154 provide the MVCPA with authority to issue grants in its own name by providing funding to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams; to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business and non-profit organizations for the programs designed to reduce the incidence of economic motor vehicle theft and fraud-related motor vehicle crime; for conducting educational programs designed to inform motor vehicle owners of methods of preventing motor vehicle burglary or theft and fraud-related motor vehicle crime; for equipment, for experimental purposes, to assist motor vehicle owners in preventing motor vehicle burglary or theft; and funding to establish a uniform program to prevent stolen motor vehicles from entering Mexico. Under current 43 TAC §57.36, a grantee must contribute a cash match of 20% of the total MVCPA award for each year of funding to be eligible for MVCPA grant funds.

The amendments to 43 TAC §57.36 are adopted to provide the MVCPA board with authority to address unforeseen grantee budgetary shortfalls by providing the board with greater flexibility in adjusting the cash match percentage required of law enforcement grantees seeking MVCPA grant funding. The adopted amendments would allow the MVCPA board to exercise its discretion in setting the

1 percentage of cash match in each grant funding cycle by considering grantee budgetary factors. By  
2 providing the MVCPA board with discretion to set the percentage of cash match or waive the cash match  
3 requirement for a given fiscal year, the board can ensure that law enforcement agencies with decreased  
4 financial resources will have a realistic opportunity to apply for and secure MVCPA grant funding in  
5 furtherance of the MVCPA statutory mandates.

6 **SUMMARY OF PUBLIC COMMENTS.**

7 The MVCPA received one comment from a taskforce member in favor of the amendment.

8 **STATUTORY AUTHORITY.** The amendments are adopted under Transportation Code §1006.101.

9 Transportation Code §1006.101 authorizes the MVCPA to adopt rules that are necessary and  
10 appropriate to implement the powers and duties of the authority.

11 **CROSS REFERENCE TO STATUTE.** Art. 4413(37) §6.

12

13 Text.

14 §57.36. Level of Funding for Grant Projects.

15 For each grant, the MVCPA will determine whether to require grantees to contribute a cash  
16 match to be eligible for funding. If required, the cash match will be a percentage of the total MVCPA  
17 award, for each year of funding, not to exceed 20%. The cash match requirement for each grant will be  
18 stated in the grant application.

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