

BILL ANALYSIS

C.S.H.B. 4110
By: Coleman
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that current restrictions on the number of, and entities eligible to receive, grants for community collaboratives to provide services to persons experiencing homelessness or mental illness prevent rural counties from accessing funds and limit the growth of this cost-effective care model. C.S.H.B. 4110 seeks to address this issue by removing the limit on the number of grant awards, expanding the entities eligible for grant awards, and revising certain other provisions relating to the awarding of such grants.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4110 amends the Government Code to replace the specification that the services for which community collaboratives are established or expanded under grants made by the Department of State Health Services (DSHS) are provided to persons experiencing homelessness and mental illness with a specification that the services are provided to persons experiencing homelessness or mental illness. The bill removes the limit on the number of grants DSHS may make and the condition that the grants be made in certain of the most populous municipalities. The bill gives DSHS the option in awarding grants to give special consideration to entities establishing a new collaborative or expanding a collaborative to serve two or more counties that each have a population of less than 100,000 as an alternative to only giving special consideration to entities establishing a new collaborative. The bill requires each entity awarded a grant to provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for services and to provide evidence of significant coordination and collaboration with local law enforcement agencies in establishing or expanding a community collaborative funded by an awarded grant.

C.S.H.B. 4110 requires the governing body of a county to develop and make public a plan detailing how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goal of bringing the public and private sectors together to provide services to persons experiencing homelessness or mental illness, how entities in the county may leverage funding from private sources to accomplish that goal through the formation or expansion of a community collaborative, and how the formation or expansion of a community collaborative could establish or support resources or services to help local law

enforcement agencies divert persons who have been arrested to appropriate mental health care. The bill authorizes the governing bodies of two or more counties that each have a population of less than 100,000 to comply with that requirement by developing and making public a joint plan that otherwise complies with the requirement. The governing body of a county in which an entity that received a grant to establish and expand community collaboratives before September 1, 2017, is located is expressly not required to develop a plan.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4110 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES.

(a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness and mental illness. ~~[The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.]~~ In awarding grants, the department shall:

- (1) give special consideration to entities establishing a new collaborative[-];
- (2) to collaboratives that serve multiple continues counties with individual populations below 50,000.

(b) The department shall require each entity awarded a grant under this section to:

- (1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; ~~[and]~~
- (2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities,

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES.

(a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness ~~or~~ [and] mental illness. ~~[The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.]~~ In awarding grants, the department shall give special consideration to entities:

- (1) establishing a new collaborative; or
- (2) establishing a new collaborative or expanding a collaborative to serve two or more counties that each have a population of less than 100,000.

(b) The department shall require each entity awarded a grant under this section to:

- (1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; ~~[and]~~
- (2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities,

municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for services.

SECTION 2. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a);

(c) Counties with a population under 50,000 may work with multiple other counties that touch them that also have a population under 50,000 to form a joint plan.

SECTION 3. This Act takes effect immediately if it receives a vote of two-

municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for services.

SECTION 2. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care.

(b) The governing bodies of two or more counties that each have a population of less than 100,000 may comply with Subsection (a) by developing and making public a joint plan that otherwise complies with Subsection (a).

(c) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

SECTION 3. Same as introduced version.

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, 2017.