

- SUBJECT:** Creating a nonprofit Border Foundation
- COMMITTEE:** Border and International Affairs — committee substitute recommended
- VOTE:** 4 ayes — Chavez, Griggs, Canales, Castro  
0 nays  
2 absent — Merritt, Riddle
- WITNESSES:** For — *(Registered, but did not testify:)* Joe Garcia and Deborah Kastrin, Texas Border Infrastructure Coalition  
Against — None  
On — *(Registered, but did not testify:)* Ronald J. Dutton, Miguel Escobedo, Arthur T. Moreno, Texas Department of Health
- BACKGROUND:** The Texas Department of Health’s Office of Border Health (OBH) was created in 1993 to enhance agency efforts to promote and protect the health of border residents by reducing community and environmental hazards along the Texas-Mexico border, in collaboration with communities and U.S. and Mexican local, state, and federal entities.  
  
The 77th Legislature authorized the Center for Rural Health Initiatives to establish the Rural Foundation as a nonprofit corporation to raise money from foundations, governmental entities and other sources to finance health programs in rural areas of the state.
- DIGEST:** CSHB 2450 would amend the Health and Safety Code to require that the OBH create a Border Foundation by June 1, 2004. The foundation would be a nonprofit corporation to raise money from other foundations, governmental agencies, and other sources to finance health programs in border counties. It would be required to develop and implement policies and procedures that clearly separated its responsibilities and activities from the OBH, and to coordinate with the Rural Foundation to coordinate projects in rural border counties.

The foundation would be governed by a five-member board of directors serving staggered six-year terms. The board would be appointed by the Texas Board of Health from individuals recommended by the executive director of the OBH. Board members would be subject to standard conflict of interest provisions.

The foundation would have to enter into a memorandum of understanding with the OBH that would make board members and foundation staff report to the executive director of the OBH, allow the OBH to provide staff support and spend funds on the foundation, and outline financial contributions to be made to the foundation from grants and other sources. Financial records of the foundation would be separate from those of the OBH. Within two months of the end of its fiscal year, the foundation would have to submit to OBH a report describing all income, expenditures and activities of the foundation during the preceding year.

The bill would take effect September 1, 2003.

**SUPPORTERS  
SAY:**

By establishing the Border Foundation, HB 2450 would allow OBH to seek grants and private donations to provide additional funding to help improve health conditions along the border. The foundation would differ from the Rural Foundation because it would emphasize health initiatives in both rural and urban communities along the Texas-Mexico border. When appropriate, the foundation would work in cooperation with the Rural Foundation to avoid duplication or competition in fund raising efforts.

**OPPONENTS  
SAY:**

No apparent opposition.

**NOTES:**

The committee substitute differs from the bill as introduced by conforming it to Texas Legislative Council drafting style, and by making other minor changes.