

**SUBJECT:** Repealing certain reporting duties of the attorney general

**COMMITTEE:** Human Services — committee substitute recommended

**VOTE:** 9 ayes — Rose, Herrero, Darby, Elkins, Hernandez, Hughes, Legler, Naishtat, Walle

**WITNESSES:** For — None

Against — None

On — Adelaide Horn, Department of Aging and Disability Services (DADS); Shane Linkous, John Owens, Office of the Attorney General

**BACKGROUND:** Health and Safety Code, sec. 242.005 requires that DADS and the attorney general each prepare a full report of the operation and administration of their responsibilities regarding convalescent and nursing homes and related institutions and submit their reports to the governor and the Legislature no later than October 1 of each year.

Sec. 247.050 requires DADS and the attorney general to prepare a quarterly report on unlicensed assisted living facilities.

Education Code, sec. 61.0815(c) requires the attorney general and the president of each institution of higher learning to collect all necessary data for inclusion in a report on higher education employees serving as expert witnesses in certain suits.

Government Code, sec. 2107.005 allows the attorney general to develop specific reporting procedures for each state agency on the collection of delinquent obligations to the state and to adopt rules for the reports.

Local Government Code, sec. 240.903 requires the attorney general to prepare a list describing the powers and duties given to the counties of this state regarding the regulation of land use, the regulation of structures, the platting and subdividing of land, and the provision and regulation of water, sewer, and other utility service to residential property, updating the list on a biennial basis and sending it to the county judge of each county in the state.

**DIGEST:** HB 4317 would amend Health and Safety Code, sec. 242.005 to remove the requirement that the attorney general file a report on convalescent and nursing homes and related institutions. DADS would have to file its report by January 31 of each year.

The bill would amend sec. 247.050 to remove the requirement that the attorney general file quarterly reports on unlicensed assisted living facilities. DADS would have to file the reports annually.

HB 4317 would amend Education Code, sec. 61.0815(c) to removing the requirement that the attorney general collect data for inclusion in reports on higher education employees serving as expert witnesses in certain suits, and it would repeal Government Code sec. 2107.005 and Local Government Code, sec. 240.903.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**NOTES:** The companion bill, SB 2273 by Seliger, passed the Senate by 31-0 on April 30 and has been referred to the House Human Services Committee.