CHAPTER 407

H.B. No. 1912

AN ACT

relating to the Transitional Living Services Program and the Preparation for Adult Living Program for foster children transitioning to independent living.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 264.121, Family Code, is amended to read as follows:

Sec. 264.121. TRANSITIONAL [PREPARATION FOR ADULT] LIVING SERVICES PROGRAM.

SECTION 2. Section 264.121, Family Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1), (d), (e), and (f) to read as follows:

(a) The department shall address the unique challenges facing foster children in the conservatorship of the department who must transition to independent living by:

(1) expanding efforts to improve transition planning and increasing the availability of transitional family group decision-making to all youth age 14 (16) or older in the department’s permanent managing conservatorship, including enrolling the youth in the Preparation for Adult Living Program before the age of 16;

(2) coordinating with the Health and Human Services Commission to obtain authority, to the extent allowed by federal law, the state Medicaid plan, the Title IV-E state plan, and any waiver or amendment to either plan, necessary to:

(A) extend foster care eligibility and transition services for youth up to age 21 and develop policy to permit eligible youth to return to foster care as necessary to achieve the goals of the Transitional Living Services [Preparation for Adult Living] Program; and

(B) extend Medicaid coverage for foster care youth and former foster care youth up to age 21 with a single application at the time the youth leaves foster care; and

(3) entering into cooperative agreements with the Texas Workforce Commission and local workforce development boards to further the objectives of the Preparation for Adult Living Program. The department, the Texas Workforce Commission, and the local workforce development boards shall ensure that services are prioritized and targeted to meet the needs of foster care and former foster care children and that such services will include, where feasible, referrals for short-term stays for youth needing housing.

(a-1) The department shall require a foster care provider to provide or assist youth who are age 14 or older in obtaining experiential life-skills training to improve their transition to independent living. Experiential life-skills training must be tailored to a youth’s skills and abilities and may include training in practical activities that include grocery shopping, meal preparation and cooking, using public transportation, performing basic household tasks, and balancing a checkbook.

(b) In this section:

(1) “Local [local] workforce development board” means a local workforce development board created under Chapter 2308, Government Code.

(2) “Preparation for Adult Living Program” means a program administered by the department as a component of the Transitional Living Services Program and includes independent living skills assessment, short-term financial assistance, basic self-help skills, and life-skills development and training regarding money management, health and wellness, job skills, planning for the future, housing and transportation, and interpersonal skills.

(3) “Transitional Living Services Program” means a program, administered by the department in accordance with department rules and state and federal law, for youth who are age 14 or older but not more than 21 years of age and are currently or were formerly in foster care, that assists youth in transitioning from foster care to independent living. The program provides transitional living services, Preparation for Adult Living Program services, and Education and Training Voucher Program services.
(d) The department shall allow a youth who is at least 18 years of age to receive transitional living services, other than foster care benefits, while residing with a person who was previously designated as a perpetrator of abuse or neglect if the department determines that despite the person's prior history the person does not pose a threat to the health and safety of the youth.

(e) The department shall ensure that each youth acquires a certified copy of the youth's birth certificate, a social security card or replacement social security card, as appropriate, and a personal identification certificate under Chapter 521, Transportation Code, on or before the date on which the youth turns 16 years of age. The department shall designate one or more employees in the Preparation for Adult Living Program as the contact person to assist a youth who has not been able to obtain the documents described by this subsection in a timely manner from the youth's primary caseworker. The department shall ensure that:

(1) all youth who are age 16 or older are provided with the contact information for the designated employees; and

(2) a youth who misplaces a document provided under this subsection receives assistance in obtaining a replacement document or information on how to obtain a duplicate copy, as appropriate.

(f) The department shall require a person with whom the department contracts for transitional living services for foster youth to provide or assist youth in obtaining:

(1) housing services;
(2) job training and employment services;
(3) college preparation services;
(4) services that will assist youth in obtaining a general education development certificate; and

(5) any other appropriate transitional living service identified by the department.

SECTION 3. (a) To achieve the best possible outcomes for foster care youth transitioning to independent living, the Department of Family and Protective Services shall:

(1) examine and identify, both in this state and in other states, the best practices for an individualized approach to services for foster care youth transitioning to independent living that considers the skills and abilities of each youth and provides opportunities for self-determination;

(2) establish a transitional living services workgroup that includes former foster care youth, providers of life-skills and after-care services, court-appointed special advocates, and other persons with expertise in the needs of transition-age youth to assist the department; and

(3) develop a comprehensive transitional living services plan to improve the department's Transitional Living Services Program that incorporates the best practices identified under Subdivision (1) of this subsection and the recommendations of the transitional living services workgroup created under Subdivision (2) of this subsection and assists the department in:

(A) ensuring that each foster youth who is age 16 or older receives an individual assessment of the youth's developmental needs and future goals to be used to develop an individualized transitional living services plan, tailored to the youth;

(B) modifying the Preparation for Adult Living Program training curriculum to include online training options and a selection of training modules that may be selected to meet the needs of an individual youth; and

(C) ensuring that transitional living services are appropriate and meet the individual and specialized needs of a foster care youth with disabilities.

(b) Not later than September 1, 2010, the Department of Family and Protective Services shall submit to the legislature a report that includes:

(1) the transitional living services plan developed under Subsection (a) of this section;

(2) any recommended statutory changes necessary to implement the transitional living services plan; and
(3) a request for any additional funding necessary for implementation of the transitional living services plan.

SECTION 4. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 5. This Act takes effect September 1, 2009.

Passed by the House on May 1, 2009: Yeas 114, Nays 24, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 408

H.B. No. 1919

AN ACT relating to the maturity dates of certain annuities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1107.006, Insurance Code, is amended to read as follows:

Sec. 1107.006. MATURITY DATE. [(a)-] In determining the value of benefits under Sections 1107.102, 1107.103, and 1107.104, [and subject to Subsection (b), if an annuity contract permits an election to have annuity payments begin on optional maturity dates,] the maturity date is [considered to be] the latest date on which an election is permitted by the contract, but [.]

[(b) A maturity date determined under this section may not be later than the later of:

(1) the next anniversary of the annuity contract that follows the annuitant's 70th birthday; or

(2) the 10th anniversary of the contract.

SECTION 2. This Act applies only to an annuity that is delivered, issued for delivery, or renewed on or after June 1, 2010. An annuity that is delivered, issued for delivery, or renewed before June 1, 2010, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.

Passed by the House on April 15, 2009: Yeas 147, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1919 on May 23, 2009: Yeas 142, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 409

H.B. No. 1922

AN ACT relating to the authorization of certain reuse water system contributions and discharges.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0271 to read as follows: