

BILL ANALYSIS

Senate Research Center
76R9569 KKA-D

H.B. 2208
By: Goodman (Lindsay)
Jurisprudence
4/29/1999
Engrossed

DIGEST

The 74th Texas Legislature adopted legislation which created a children's advocacy center program (program) for local communities, with the program's funding funneled through the Department of Protective and Regulatory Services (department). The 75th Legislature authorized the department to enter into a contract with a statewide organization that has expertise in the establishment and operation of children's advocacy center programs. Since the program's funding is channeled through the department, some people perceive the program as belonging to the department. This perception may undermine the effectiveness of providing a neutral setting in which all investigative and prosecutorial agencies work together on an equal basis for the best interests of children. H.B. 2208 would authorize the Office of the Attorney General or the department to contract with a statewide organization with expertise in the establishment and operation of children's advocacy centers.

PURPOSE

As proposed, H.B. 2208 authorizes the office of the attorney general to contract with a statewide organization to provide services to children's advocacy centers.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the office of the attorney general in SECTION 2 (Section 264.410(c), Family Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 264.409, Family Code, as follows:

Sec. 264.409. ADMINISTRATIVE CONTRACTS. Authorizes the Department of Protective and Regulatory Services (department) or the office of the attorney general to contract with a statewide organization of individuals or groups of individuals who have expertise in the establishment and operation of children's advocacy center programs. Requires the contract to provide that the statewide organization may not spend annually for administrative purposes more than 12 percent of the annual amount appropriated to the office of the attorney general for purposes of this section, if the office enters into a contract under this section.

SECTION 2. Amends Section 264.410, Family Code, to require the attorney general, by rule, to adopt standards for eligible local centers, if the attorney general enters into a contract with a statewide organization under Section 264.409. Makes a conforming change.

SECTION 3. Amends Section 264.411, Family Code, to provide that a public entity or nonprofit entity is eligible for a contract under Section 264.410 if the entity has developed a method of statistical information gathering on children receiving services through the center and shares such statistical information with the statewide organization, the department, and the office of the attorney general when requested. Deletes text regarding a request for a waiver.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.