

BILL ANALYSIS

Senate Research Center
77R8819 KLA-D

C.S.S.B. 47
By: Zaffirini
Health & Human Services
3/9/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas funds certain family violence centers. C.S.S.B. 47 expands the code to allow state funding for certain nonresidential family violence centers, in order to reach a wider population of people in need of domestic violence services. It also requires the Department of Human Services to develop and maintain a state plan for the delivery of family violence services and to coordinate the provision of violence prevention services for children and youth.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 51, Human Resources Code, to read as follows:

CHAPTER 51. FAMILY VIOLENCE CENTERS

SECTION 2. Amends Section 51.001, Human Resources Code, to delete text regarding shelters.

SECTION 3. Amends Section 51.002, Human Resources Code, to define “family,” “family violence,” “family violence center,” “family violence nonresidential center,” “family violence special project,” “household,” and “member of a household.” Redefines “family violence shelter center” and “victim of family violence.”

SECTION 4. Amends Chapter 51, Human Resources Code, by adding Section 51.0021, as follows:

Sec. 51.0021. FAMILY VIOLENCE SERVICES PLAN. Requires the Texas Department of Human Services (department) to develop and maintain a plan for delivering family violence services in this state. Requires the department to consider the geographic distribution of services and the need for services, including the need for increasing services for underserved populations, in developing the plan under this section.

SECTION 5. Amends Section 51.003, Human Resources Code, to require the department to contract for services with family violence centers, rather than family violence shelter centers, with consideration given to the plan for family violence services under Section 51.0021, rather than geographic distribution and need. Authorizes the department to contract with a family violence special project for services. Requires the department to consider the plan for family violence services under Section 51.0021 in contracting with the family violence special project. Requires activities contracted for under this subsection, rather than a contract, to include, rather than require, the provision of technical assistance and training for family violence centers. Authorizes the department to contract for, rather than require, the provision of certain activities for certain professionals who work with victims of family violence. Requires the department to award all contracts through a competitive bidding process unless that process would not be cost-effective. Makes conforming and nonsubstantive changes.

SECTION 6. Amends Section 51.004, Human Resources Code, to require a family violence shelter center, rather than public or private nonprofit organization, to meet certain conditions to be eligible for a contract under Section 51.003(a). Requires a family violence nonresidential center to meet certain conditions to be eligible for a contract under Section 51.003(a). Requires the department to consider certain factors in awarding contracts under Section 51.003(a). Requires a family violence special project to meet certain conditions to be eligible for a contract under Section 51.003(b). Makes conforming and nonsubstantive changes.

SECTION 7. Amends Section 51.005, Human Resources Code, to require the department to contract only with public or private nonprofit organizations, rather than family violence shelter centers, that fulfill the requirements of this chapter. Requires persons operating a family violence center to meet certain conditions. Makes conforming and nonsubstantive changes.

SECTION 8. Amends Section 51.006, Human Resources Code, to make a conforming change.

SECTION 9. Amends Section 51.007, Human Resources Code, to make a conforming change.

SECTION 10. Amends Section 51.001(b), Human Resources Code, to make conforming and nonsubstantive changes.

SECTION 11. Amends Chapter 51, Human Resources Code, by adding Section 51.012, as follows:

Sec. 51.012. COORDINATION OF SERVICES. Requires the department and the Department of Protective and Regulatory Services to coordinate the provision of violence prevention services for children.

SECTION 12. Requires the department to develop the plan for delivering family violence services required by Section 51.0021, Human Resources Code, as added by this Act, not later than January 1, 2002.

SECTION 13. Makes application of Sections 51.003, 51.004, and 51.005, Human Resources Code, as amended by this Act, prospective.

SECTION 14. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from the original as follows:

SECTION 3. Removes intentional sexual assault from the definition of “family violence.” Changes the definition of “family violence nonresidential center” to remove the requirement that a program not provide any residential services. Makes a correction in the definition of “member of a household.”

SECTION 6. Makes a clarification in the requirements relating to eligibility for a contract under Section 51.003(b), Human Resources Code.

SECTION 7. Replaces “family violence centers” with “public or private nonprofit organizations” in the requirements regarding eligibility to contract with the department.