

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1321

By: Staples

S/C on Emerging Technologies & Economic Development

4/7/2005

Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 1321 creates a new program within the Texas Department of Agriculture to promote Texas as a retirement destination to retirees and potential retirees, assist communities in their efforts to market themselves as desirable retirement locations, assist in the development of retirement communities for economic development purposes and encourage tourism.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 12.039, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 12, Agriculture Code, by adding Section 12.039, as follows:

Sec. 12.039. TEXAS CERTIFIED RETIREMENT COMMUNITY PROGRAM. (a) Defines "program."

(b) Requires the Texas Department of Agriculture (department) to establish and maintain a Texas Certified Retirement Community Program (program) in which retirees and potential retirees are encouraged to make their homes in Texas communities that have met the criteria for certification by the department as a Texas certified retirement community.

(c) Sets forth the mission of the program.

(d) Requires a community to meet certain criteria to be eligible to be a Texas certified retirement community.

(e) Requires the department to develop and use a scoring system to determine whether an applicant will qualify as a Texas certified retirement community. Requires the department, in addition to the requirements of Subsection (d), to consider as part of the scoring system the applicant community in relation to certain criteria.

(f) Requires the department to consult with the Office of Rural Community Affairs to establish parameters for certification of rural communities under this section.

(g) Requires the department to provide certain forms of assistance to a community if the department finds that the community successfully meets the requirements of a Texas certified retirement community, not later than the 90th day after the application is submitted.

(h) Provides that a community's certification under this section expires on the fifth anniversary of the date the initial certification is issued. Requires an applicant community to take certain actions to be considered for recertification by the department.

(i) Provides that the Texas certified retirement community program account is an account in the general revenue fund. Provides that the account is composed of fees collected under Subsection (d). Authorizes money in the account to be appropriated to the department only for the purposes of this section, including the payment of administrative and personnel costs of the department associated with administering the program.

(j) Authorizes the department to contract with a local or regional nonprofit organization to provide a service described by Subsection (g) to a community in this state.

(k) Requires the department to adopt rules to implement this section.

SECTION 2. Requires the department to implement the program created by Section 12.039, Agriculture Code, as added by this Act, not later than September 1, 2006.

SECTION 3. Effective date: September 1, 2005.