

## BILL ANALYSIS

Senate Research Center  
79S10233 KLA-F

S.B. 68  
By: Nelson  
Health & Human Services  
7/12/2005  
As Filed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law, under Chapter 534, Government Code, is mostly focused on local efforts to expand Medicaid and other healthcare coverage. Faith- and community-based organizations play a role in assisting those in need in our state. However, the State of Texas is not currently using such assistance to its best advantage or making full use the opportunities that exist to work more closely with these private-sector groups.

S.B. 68 seeks to expand the role of faith and community-based organizations in forming partnerships with state agencies to more effectively meet the social service needs of Texans.

### RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Health and Human Services Commission in SECTION 2 (Section 531.088, Government Code) of this bill.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 401, Government Code, by adding Subchapter G, as follows:

#### SUBCHAPTER G. TEXAS MENTORING INITIATIVE

Sec. 401.151. ESTABLISHMENT AND PURPOSE OF TEXAS MENTORING INITIATIVE. (a) Requires the office of the governor to establish the Texas mentoring initiative to fund certain activities.

(b) Requires the office of the governor to administer the Texas mentoring initiative subject to the availability of funds appropriated for that purpose.

Sec. 401.152. COORDINATION WITH STATE AGENCIES. Authorizes the office of the governor to coordinate with specific entities to implement activities of the Texas mentoring initiative.

Sec. 401.153. COORDINATION WITH OTHER ENTITIES. Authorizes the office of the governor to coordinate those activities with certain entities to better integrate the activities of the Texas mentoring initiative.

Sec. 401.154. GRANTS. Requires the office of the governor to provide grants through the Texas mentoring initiative to fund activities that achieve specific goals.

SECTION 2. (a) Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.088, as follows:

Sec. 531.088. DATABASE OF VOLUNTEER OPPORTUNITIES. (a) Requires the Health and Human Services Commission (HHSC) to establish a searchable Internet database that lists opportunities throughout this state for volunteers to provide assistance to agencies of this state in delivering services to persons in this state and to faith- and community-based organizations that partner with a state agency to deliver those services. Sets forth requirements for HHSC to adopt rules regarding certain information requirements.

(b) Requires each state agency that has a faith- and community-based liaison designated under Section 535.051 to provide to HHSC information regarding volunteer opportunities described by Subsection (a) and to regularly update that information.

(c) Authorizes HHSC to perform certain functions regarding the Internet website.

(d) Authorizes HHSC to perform certain actions regarding the database.

(b) Requires HHSC to establish the database of volunteer opportunities required by Section 531.088, Government Code, as added by this section, not later than January 1, 2006.

SECTION 3. (a) Amends Subtitle I, Title 4, Government Code, by adding Chapter 535, as follows:

CHAPTER 535. PROVISION OF HUMAN SERVICES THROUGH FAITH- AND  
COMMUNITY-BASED ORGANIZATIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 535.001. DEFINITIONS. Defines "community-based organization" and "faith-based organization."

Sec. 535.002. PURPOSE. Sets forth the purpose of this chapter regarding faith- and community-based organizations.

Sec. 535.003. CONSTRUCTION. Prohibits this chapter from being construed to perform certain functions.

Sec. 535.004. APPLICABILITY OF CERTAIN FEDERAL LAW. Requires a power authorized or duty imposed under this chapter to be performed in a manner that is consistent with 42 U.S.C. Section 604a.

[Reserves Sections 535.005-535.050 for expansion.]

SUBCHAPTER B. GOVERNMENTAL LIAISONS FOR FAITH- AND  
COMMUNITY-BASED ORGANIZATIONS

Sec. 535.051. DESIGNATION OF FAITH- AND COMMUNITY-BASED LIAISONS. Requires the executive commissioner of HHSC, in consultation with the governor, to designate one employee from each health and human services agency to serve as a liaison for faith- and community-based organizations. Requires the chief administrative officer of each of certain enumerated state agencies, in consultation with the governor, to designate one employee from the agency to serve as a liaison for specific faith- and community-based organizations.

Sec. 535.052. GENERAL DUTIES OF LIAISONS. Sets forth requirements for a faith- and community-based liaison designated under Section 535.051.

Sec. 535.053. INTERAGENCY COORDINATING GROUP. Provides that the interagency coordinating group for faith- and community-based initiatives is composed of each faith- and community-based liaison designated under Section 535.051. Requires the interagency coordinating group to work across state agencies to facilitate the removal of unnecessary interagency barriers to partnerships between state agencies and faith- and community-based organizations.

Sec. 535.054. REPORTS; MEETINGS. Sets forth requirements for a liaison designated under Section 535.051. Requires each report made under Subsection (a)(2) to be made available to the public through posting on the office of the governor's Internet website.

[Reserves Sections 535.055-535.100 for expansion.]

#### SUBCHAPTER C. CENTER FOR FAITH- AND COMMUNITY-BASED INITIATIVES

Sec. 535.101. DEFINITIONS. Defines "community-based initiative," "faith-based initiative," and "center."

Sec. 535.102. ESTABLISHMENT OF CENTER FOR FAITH- AND COMMUNITY-BASED INITIATIVES. Requires the executive commissioner to establish within HHSC, a center for faith- and community-based initiatives. Requires the center to be operated in a manner that promotes effective partnerships between the commission or a health and human services agency and faith- and community-based organizations to serve residents of this state who need assistance.

Sec. 535.103. OPERATION OF CENTER. Requires the executive commissioner to appoint a director for the center, in consultation with the governor. Requires HHSC to provide the center with appropriate staff, administrative support services, and other resources to enable the center to perform the duties imposed under this subchapter.

Sec. 535.104. GENERAL DUTIES OF CENTER. Sets forth requirements for the center.

Sec. 535.105. REPORTS. Sets forth requirements for the director of the center. Requires each report made under Subsection (a)(2) to be made available to the public through posting on the office of the governor's Internet website.

[Reserves Sections 535.106-535.150 for expansion.]

#### SUBCHAPTER D. RENEWING OUR COMMUNITIES ACCOUNT

Sec. 535.151. DEFINITION. Defines "account."

Sec. 535.152. PURPOSES OF SUBCHAPTER. Sets forth the purposes of this subchapter in order to recognize that faith- and community-based organizations provide a range of vital charitable services to persons in this state.

Sec. 535.153. RENEWING OUR COMMUNITIES ACCOUNT. (a) Provides that the renewing our communities account is an account in the general revenue fund that may be appropriated only to HHSC for the purposes and activities authorized by this subchapter and for reasonable administrative expenses under this subchapter.

(b) Sets forth the composition of the account.

(c) Provides that the account is exempt from the application of Section 403.095 (Use of Dedicated Revenue).

(d) Sets forth the purposes of the account.

Sec. 535.154. POWERS AND DUTIES REGARDING ACCOUNT. Sets forth requirements for HHSC regarding awarding grants. Authorizes HHSC to perform certain functions regarding awarding grants.

Sec. 535.155. FAITH- AND COMMUNITY-BASED INITIATIVES ADVISORY COMMITTEE. (a) Requires the executive commissioner to appoint faith and community leaders in this state to serve on the faith- and community-based initiatives advisory committee. Requires the advisory committee members to be representative of the religious and cultural diversity of this state.

(b) Requires the advisory committee to make recommendations to the executive commissioner regarding the executive commissioner's powers and duties with respect to the account as described by Section 535.154.

(c) Requires the advisory committee to meet at least twice each calendar year, except as otherwise provided by this subsection. Provides that the advisory committee is not required to meet if the remaining amount appropriated from the account to the commission for the state fiscal biennium is insufficient for the performance of any duties or activities under this subchapter.

(d) Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the advisory committee.

(e) Provides that the advisory committee is subject to Chapter 551 (Open Meetings).

(b) Requires certain individuals representing specific state agencies, as determined by the governor, to designate the liaisons for faith- and community-based initiatives as required under Section 535.051, Government Code, as added by this section, not later than November 1, 2005.

(c) Requires the executive commissioner of the Health and Human Services Commission to appoint the director of the center for faith- and community-based initiatives as required by Section 535.103, Government Code, as added by this section, not later than November 15, 2005.

(d) Requires the center for faith- and community-based initiatives established under Section 535.102, Government Code, as added by this section, to file a report with the governor's office of faith- and community-based initiatives not later than January 15, 2006, that includes the center's performance measures on which the center will report its outcomes in each annual report under Section 535.105, Government Code, as added by this section.

SECTION 4. Authorizes delay of implementation until any necessary federal waivers or authorizations are obtained.

SECTION 5. Effective date: upon passage or the 91st day after adjournment.