

## **BILL ANALYSIS**

Senate Research Center  
84R25477 SCL-F

H.B. 3474  
By: Coleman (Schwertner)  
Health & Human Services  
5/18/2015  
Engrossed

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

Interested parties contend that counties currently face a wide variety of pressing issues that merit legislative attention. The parties note that among these issues are matters relating to a lack of information on how population growth is affecting counties, mental health first aid training, and graffiti removal. H.B. 3474 seeks to address these issues.

H.B. 3474 amends current law relating to issues affecting counties and political subdivisions within counties.

### **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. (a) Defines "task force."

(b) Provides that the Task Force to Study Population Growth in Texas (task force) is established for the purposes of assessing the effects of population growth on counties in this state relating to housing, businesses, available land resources, the state's economy, health care services, and county jails.

(c) Provides that the task force is composed of the nine members set forth in this subsection.

(d) Requires the members of the task force to elect a presiding officer from among the membership.

(e) Requires the offices of the governor, lieutenant governor, and speaker of the house of representatives to provide staff support to the task force.

(f) Requires the task force to hold public hearings to achieve the purposes described by Subsection (b) of this section.

(g) Provides that a member of the task force is not entitled to receive compensation for service on the task force but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the task force.

(h) Authorizes the task force to accept gifts and grants from any source to be used to carry out a function of the task force.

(i) Requires the task force, not later than November 1, 2016, to submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature. Requires that the report include a summary and analysis of the criteria set forth in this subsection.

(j) Requires the governor, the lieutenant governor, and the speaker of the house of representatives to make the appointments to the task force as described under Subsection (c) of this section not later than December 1, 2015.

(k) Provides that the task force is abolished and this section expires August 31, 2017.

SECTION 2. Amends Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, by adding Subdivisions (4) and (5) to define "school district employee" and "school resource officer."

SECTION 3. Amends Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, by adding Section 1001.2015, as follows:

Sec. 1001.2015. LIMITATION ON GRANTS. Authorizes the Department of State Health Services (DSHS), for each state fiscal year, to give to a local mental health authority in the form of grants under Sections 1001.202 (General Powers and Duties) and 1001.203 (Grants) an amount that may not exceed the lesser of:

(1) three percent of the total amount appropriated to DSHS for making grants under those sections; or

(2) \$70,000.

SECTION 4. Amends Section 1001.202(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

(b) Requires DSHS to make each grant to a local mental health authority under this section in an amount equal to \$1,000 times the number of employees or contractors of the authority whose training as mental health first aid trainers will be paid by the grant.

Deletes existing text providing that Subsection (c) is an exception to Subsection (b).

SECTION 5. Amends Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

(a) Requires DSHS, to the extent funds are appropriated to DSHS for that purpose, to make grants to local mental health authorities to provide an approved mental health first aid training program, administered by mental health first aid trainers, at no cost to school district employees and school resource officers, rather than educators.

(c) Requires DSHS to grant \$100 to a local mental health authority for each school district employee or school resource officer who successfully completes a mental health first aid training program provided by the authority under this section.

Deletes existing text requiring DSHS, subject to the limit provided by Subsection (b), out of the funds appropriated to DSHS for making grants under this section, to grant \$100 to a local mental health authority for each educator who successfully completes a mental health first aid training program provided by the authority under this section.

SECTION 6. Amends Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, by adding Section 1001.2031, as follows:

Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN EDUCATORS IN MENTAL HEALTH FIRST AID. Authorizes DSHS, for each state fiscal year, to allocate any unobligated money appropriated for making grants under Sections 1001.202 and 1001.203 for supplemental grants. Authorizes DSHS to give a supplemental grant to a local mental health authority that submits to DSHS a revised plan

as provided under Section 1001.204 (Annual Report) that demonstrates how the additional grant money would be used if made available to the authority.

SECTION 7. Amends Section 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, to require the authority to submit to DSHS a plan demonstrating the manner in which grants made to the authority under that section will be used to meet criteria set forth in this subsection not later than July 1, rather than October 1, of each state fiscal year for which a local mental health authority will seek a grant from DSHS under Section 1001.203.

SECTION 8. Amends Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

Sec. 1001.205. REPORTS. (a) Requires a local mental health authority, not later than September 30, rather than July 1, of each year, to provide to DSHS the number of:

(1) employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding fiscal year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal year, rather than calendar year; and

(3) individuals who are not school district employees or school resource officers, rather than are not educators, who completed a mental health first aid training program offered by the authority during the preceding fiscal year. Makes a conforming change.

(b) Requires DSHS, not later than December 1, rather than August 1, of each year, to compile the information submitted by local mental health authorities as required by Subsection (a) and submit a report to the legislature containing the number of:

(1) authority employees and contractors trained as mental health first aid trainers during the preceding fiscal year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding fiscal year, rather than calendar year; and

(3) individuals who are not school district employees or school resource officers, rather than are not educators, who completed a mental health first aid training program provided by an authority during the preceding fiscal year, rather than calendar year.

SECTION 9. Amends Section 21.044(c-1), Education Code, as follows:

(c-1) Requires that any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree also require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. Requires that the instruction required be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325 (Mental Health Promotion and Intervention, Substance Abuse Prevention and Intervention, and Suicide Prevention), Health and Safety Code.

Deletes existing text requiring that any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree also require that the person receive, as part of the training required to obtain that certificate, instruction in detection of students with mental or emotional disorders.

SECTION 10. Repealer: Section 21.044(c-2) (relating to minimum academic qualification instructions), Education Code.

Repealer: Section 1001.202(c) (relating to DSHS adopting rules), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013.

Repealer: Section 1001.203(b) (relating to a grant program established by DSHS), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013.

Repealer: Section 250.006(b) (relating to graffiti removal), Local Government Code.

SECTION 11. Effective date: September 1, 2015.