

1-1 By: Walle (Senate Sponsor - Taylor) H.B. No. 2091  
 1-2 (In the Senate - Received from the House May 3, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2021, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 22, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the redesignation and authority of the Harris County  
 1-20 Board of Protective Services for Children and Adults.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Section 152.1073, Human Resources  
 1-23 Code, is amended to read as follows:

1-24 Sec. 152.1073. HARRIS COUNTY BOARD OF RESOURCES [~~PROTECTIVE~~  
 1-25 ~~SERVICES~~] FOR CHILDREN AND ADULTS.

1-26 SECTION 2. Section 152.1073(a)(1), Human Resources Code, is  
 1-27 amended to read as follows:

1-28 (1) "Board" means the Harris County Board of Resources  
 1-29 [~~Protective Services~~] for Children and Adults.

1-30 SECTION 3. Section 152.1073, Human Resources Code, is  
 1-31 amended by amending Subsections (g) and (h) and adding Subsection  
 1-32 (h-1) to read as follows:

1-33 (g) In addition to the authority granted to the board by the  
 1-34 commissioners court, the Health and Human Services Commission, and  
 1-35 the [~~Texas~~] Department of Family and Protective [~~Human~~] Services,  
 1-36 the board may:

1-37 (1) disburse funds from sources other than the  
 1-38 commissioners court, the commission, and the department [~~Texas~~  
 1-39 ~~Department of Human Services~~] to benefit children, eligible adults  
 1-40 with disabilities, and eligible elderly persons under this section  
 1-41 and to provide care, protection, evaluation, training, treatment,  
 1-42 education, and recreation to those persons [~~children~~];

1-43 (2) refuse to accept any funds the board considers to  
 1-44 be inappropriate, incompatible, or burdensome to board policies or  
 1-45 the provision of services;

1-46 (3) accept a gift or grant of real or personal property  
 1-47 or accept support under or an interest in a trust to benefit persons  
 1-48 described by Subdivision (1) [~~children under this section~~] and hold  
 1-49 the gift or grant directly or in trust;

1-50 (4) use a gift or grant to benefit persons described by  
 1-51 Subdivision (1) [~~children under this section~~] and to provide care,  
 1-52 protection, education, or training to those persons [~~children~~];

1-53 (5) accept and disburse as provided by Subdivision (1)  
 1-54 fees and contributions from parents, guardians, and relatives of  
 1-55 persons described by that subdivision [~~children~~] who are:

1-56 (A) in county supported substitute care or  
 1-57 custody, in the county guardianship program, in the county  
 1-58 representative payee program, or receiving services from the county  
 1-59 Senior Justice Assessment Center; or

1-60 (B) being assisted by casework, day care, or  
 1-61 homemaker services, by medical, psychological, dental, or other

2-1 remedial help, or by teaching, training, or other services;  
2-2 (6) account for and spend funds the board receives as  
2-3 fees, contributions, payments made by guardians, or payments made  
2-4 to benefit a person described by Subdivision (1) who is [child] in  
2-5 the board's or the county's legal custody;

2-6 (7) receive and disburse funds available to support or  
2-7 benefit a person described by Subdivision (1) who is [child] in the  
2-8 board's or the county's legal custody, including social security  
2-9 benefits, life insurance proceeds, survivors' pension or annuity  
2-10 benefits, or a beneficial interest in property; and

2-11 (8) receive and use funds, grants, and assistance  
2-12 available to the board or the county from a federal or state  
2-13 department or agency to carry out the functions and programs of the  
2-14 department or agency that is designed to aid or extend programs and  
2-15 operations approved by the board.

2-16 (h) The board shall designate the director or an assistant  
2-17 to apply for letters of guardianship if necessary to receive funds  
2-18 under Subsection (g)(7). The director or an assistant may:

2-19 (1) apply for and disburse the funds to provide  
2-20 special items of support for children, eligible adults with  
2-21 disabilities, and eligible elderly persons under this section or to  
2-22 pay general administrative expenses relating to services under this  
2-23 section;

2-24 (2) hold the funds in trust; or

2-25 (3) apply the funds for a particular or more  
2-26 restricted purpose as required by law or the source of the funds.

2-27 (h-1) The board may collaborate with state agencies to  
2-28 provide services for eligible adults with disabilities and eligible  
2-29 elderly persons who:

2-30 (1) are residents of the county;

2-31 (2) have been exploited, abused, or neglected; or

2-32 (3) may be in need of a guardianship or assistance from  
2-33 a representative payee.

2-34 SECTION 4. On the effective date of this Act, the Harris  
2-35 County Board of Protective Services for Children and Adults is  
2-36 redesignated as the Harris County Board of Resources for Children  
2-37 and Adults.

2-38 SECTION 5. This Act takes effect immediately if it receives  
2-39 a vote of two-thirds of all the members elected to each house, as  
2-40 provided by Section 39, Article III, Texas Constitution. If this  
2-41 Act does not receive the vote necessary for immediate effect, this  
2-42 Act takes effect September 1, 2021.

2-43 \* \* \* \* \*