

By: Jetton

H.B. No. 2072

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for a grant to reduce recidivism, arrest,  
and incarceration of individuals with mental illness.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 531.0993, Government Code, is amended by  
amending Subsections (a), (b), (c), (c-1), (c-2), (d), (f-1), (g),  
(h), and (i) and adding Subsection (a-1) to read as follows:

(a) In this section, "qualified entity" means a  
county-based community collaborative or a nonprofit organization  
that is exempt from federal income taxation under Section 501(a),  
Internal Revenue Code of 1986, by being listed as an exempt entity  
under Section 501(c)(3) of that code.

(a-1) The commission shall establish a program to provide  
grants to qualified entities [~~county-based community  
collaboratives~~] for the purposes of reducing:

(1) recidivism by, the frequency of arrests of, and  
incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of  
persons with mental illness to a state hospital.

(b) A qualified entity that is a community collaborative may  
petition the commission for a grant under the program only if the  
collaborative includes a county, a local mental health authority  
that operates in the county, and each hospital district, if any,  
located in the county. A community collaborative may include other

1 local entities designated by the collaborative's members.

2 (c) The commission shall condition each grant provided to a  
3 qualified entity [~~community collaborative~~] under this section on  
4 the qualified entity [~~collaborative~~] providing funds from  
5 non-state sources in a total amount at least equal to:

6 (1) 25 percent of the grant amount if the qualified  
7 entity that is a community collaborative includes or the qualified  
8 entity that is a nonprofit organization operates in a county with a  
9 population of less than 100,000;

10 (2) 50 percent of the grant amount if the qualified  
11 entity [~~collaborative~~] includes or operates in a county with a  
12 population of 100,000 or more but less than 250,000;

13 (3) 100 percent of the grant amount if the qualified  
14 entity [~~collaborative~~] includes or operates in a county with a  
15 population of 250,000 or more; and

16 (4) the percentage of the grant amount otherwise  
17 required by this subsection for the largest county included in the  
18 qualified entity or within which the entity operates  
19 [~~collaborative~~], if the qualified entity [~~collaborative~~] includes  
20 or operates in more than one county.

21 (c-1) To raise the required non-state sourced funds, a  
22 qualified entity [~~collaborative~~] may seek and receive gifts,  
23 grants, or donations from any person.

24 (c-2) From [~~Beginning on or after September 1, 2018, from~~]  
25 money appropriated to the commission for each fiscal year to  
26 implement this section, the commission shall reserve at least 20  
27 percent of that total to be awarded only as grants to a qualified

1 entity [~~community collaborative~~] that includes or operates in a  
2 county with a population of less than 250,000.

3 (d) For each state fiscal year for which a qualified entity  
4 [~~community collaborative~~] seeks a grant, the qualified entity  
5 [~~collaborative~~] must submit a petition to the commission not later  
6 than the 30th day of that fiscal year. The qualified entity  
7 [~~community collaborative~~] must include with a petition:

8 (1) a statement indicating the amount of funds from  
9 non-state sources the qualified entity [~~collaborative~~] is able to  
10 provide; and

11 (2) a plan that:

12 (A) is endorsed by each of the qualified entity's  
13 [~~collaborative's~~] member entities, for a qualified entity that is a  
14 community collaborative;

15 (B) identifies a target population;

16 (C) describes how the grant money and funds from  
17 non-state sources will be used;

18 (D) includes outcome measures to evaluate the  
19 success of the plan; and

20 (E) describes how the success of the plan in  
21 accordance with the outcome measures would further the state's  
22 interest in the grant program's purposes.

23 (f-1) To [~~Beginning on or after September 1, 2018, to~~] the  
24 extent money appropriated to the commission for a fiscal year to  
25 implement this section remains available to the commission after  
26 the commission selects grant recipients for the fiscal year, the  
27 commission shall make grants available using the money remaining

1 for the fiscal year through a competitive request for proposal  
2 process, without regard to the limitation provided by Subsection  
3 (c-2).

4 (g) Not later than the 90th day after the last day of the  
5 state fiscal year for which the commission distributes a grant  
6 under this section, each qualified entity [~~community~~  
7 ~~collaborative~~] that receives a grant shall prepare and submit a  
8 report describing the effect of the grant money and matching funds  
9 in achieving the standard defined by the outcome measures in the  
10 plan submitted under Subsection (d).

11 (h) The commission may make inspections of the operation and  
12 provision of mental health services provided by a qualified entity  
13 [~~community collaborative~~] to ensure state money appropriated for  
14 the grant program is used effectively.

15 (i) The commission may not award a grant under this section  
16 for a fiscal year to a qualified entity [~~community collaborative~~]  
17 that includes or operates in a county with a population greater than  
18 four million if the legislature appropriates money for a mental  
19 health jail diversion program in the county for that fiscal year.

20 SECTION 2. This Act takes effect September 1, 2023.