

By: Hinojosa

S.B. No. 27

A BILL TO BE ENTITLED

AN ACT

relating to the state's financing of foster care payments.

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

SECTION 1. (a) The House Committee on Human Services and the Senate Committee on Health and Human Services shall jointly study the efficacy of restructuring the foster care payments as directed by Rider 21 following the appropriations to the Department of Protective and Regulatory Services made by Article II, Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act). Before March 1, 2004, the committees shall:

(1) conduct at least three separate public hearings to receive public testimony in at least three separate geographic regions of this state;

(2) determine the findings of the study by a majority vote of the combined committees; and

(3) report the findings of the study to the governor, the lieutenant governor, the speaker of the house of representatives, the Legislative Budget Board, the Department of Protective and Regulatory Services, and the Health and Human Services Commission.

(b) It is the intent of the legislature that the Legislative Budget Board, the Department of Protective and Regulatory Services, and the Health and Human Services Commission delay implementation

1 of Rider 21 following the appropriations to the Department of
2 Protective and Regulatory Services made by Article II, Chapter
3 1330, Acts of the 78th Legislature, Regular Session, 2003 (the
4 General Appropriations Act), until the state fiscal year beginning
5 September 1, 2004, and shall implement Rider 21 for that state
6 fiscal year only if the findings of the study conducted under
7 Subsection (a) of this section state that merging levels of care as
8 proposed by Rider 21 is in the best interests of the foster children
9 of this state. The proposed plan for levels of care restructuring
10 required by Rider 21 is due not later than the 60th day after the
11 date the report is made under Subsection (a) of this section.

12 SECTION 2. It is the intent of the legislature that the
13 Legislative Budget Board shall use all available fiscal management
14 tools to supplement any shortfall in foster care payments due
15 during the state fiscal biennium ending August 31, 2005.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect on the 91st day after the last day of the
21 legislative session.