

BILL ANALYSIS

C.S.H.B. 1322
By: Naishtat
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Section 81 of the Human Resources Code establishes the operating procedures for the Texas Commission for the Deaf and Hard of Hearing (Commission). Over time, there have been changes within the agency that make revisions in the statute necessary in order to more clearly define the agency's current responsibilities and activities and to delegate certain responsibilities to other agencies.

CSHB 1322 would add a definition of the "deaf-blind" population, which the agency already serves but is not recognized as such. It would also relieve the Commission for the Deaf and Hard of Hearing from its responsibility to set a schedule of fees for interpreter services, and would allow the Commission to establish fees for interpreter training. This legislation would direct the Commission to appoint an advisory board to assist in administration of its interpreter certification program, and would authorize the Commission to charge fees for certification exams and re-certification. CSHB 1322 would authorize the Commission to request criminal background information on individuals applying for employment in the Commission's outdoor training programs. Lastly, the bill would direct the Commission to develop rules and guidelines for use of revenue generated from the sale of its specialty license plate which was passed by the 77th Legislature.

RULEMAKING AUTHORITY

This bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

- Section 1: Defines "deaf-blind" to the population served by the Texas Commission for the Deaf and Hard of Hearing (Commission).
- Section 2: Relieves the Commission of its responsibility to set a schedule of fees for interpreter services, and directs the commission to work with the Texas Higher Education Coordination Board to develop standards and guidelines to clarify circumstances under which certified interpreters are qualified to interpret using any specialized vocabulary.
- Section 3: Provides authority for the Commission to establish fees for interpreter training, charge fees for written exams, certification and recertification. Authorizes the Commission appointed board to advise and assist the Commission on administration of the interpreter certification program, allows a board member to serve as an evaluator and to be compensated for services as an evaluator, and allows reimbursement to a board member for travel expenses, as allowed under the General Appropriations Act. Removes the requirement to compile and publish a state interpreter registry.
- Section 4: Allows the Commission to revoke or suspend an interpreter's certification.
- Section 5: Clarifies that the private outdoor training programs can serve parents of children who are deaf or hard of hearing, and authorizes the commission to request criminal history records

of applicants for employment with the outdoor programs.

Section 6: No substantive changes.

Section 7: Authorizes the Commission to advertise and promote its services and programs.

Section 8: Adds population and region as part of the criteria to be used in determining grant awards.

Section 9: No substantive changes.

Section 10: No substantive changes.

Section 11: Requires the Commission to develop rules and guidelines for the use of revenue collected from the sale of its specialty license plate, passed by the 77th Legislature, in the Transportation Code, Sec. 502.2722.

Section 12: Requires the Commission to develop rules and guidelines for the use of revenue collected from the sale of its specialty license plate, in the current Transportation Code, Sec. 502.2735.

Section 13: Amends the Government Code, Sec. 411.1131 to provide the Commission with access to criminal history records of outdoor program staff applicants.

Section 14: Repeals Human Resources Code, Sec. 81.006(c) and Sec. 81.0071(b).

Section 15: Effective date.

EFFECTIVE DATE

The Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 1322 modifies the original bill by removing the requirement of approval by the Governor on appointment of an executive director.

CSHB 1322 excludes the section creating a certified court interpreter advisory committee for the administration and implementation of the court interpreter program.

CSHB 1322 removes the section pertaining to the timeline for the certified court interpreter advisory committee.