

By: Zaffirini

S.B. No. 49

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the transfer of money appropriated for institutional
3 care for certain children to provide community-based services to
4 those children.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is
7 amended by adding Section 531.064 to read as follows:

8 Sec. 531.064. TRANSFER OF MONEY FOR COMMUNITY-BASED
9 SERVICES. (a) In this section, "child" and "institution" have the
10 meanings assigned by Section 531.151.

11 (b) The commission shall:

12 (1) quantify the amount of money appropriated by the
13 legislature that would have been spent during the remainder of a
14 state fiscal biennium to care for a child who lives in an
15 institution but who is leaving that institution before the end of
16 the biennium to live in the community; and

17 (2) notwithstanding any other state law and to the
18 maximum extent allowed by federal law, direct the comptroller at
19 the time the child leaves the institution to transfer the amount
20 quantified under Subdivision (1) between health and human services
21 agencies as necessary to comply with this section.

22 (c) The commission shall ensure that the amount transferred
23 under this section is redirected by the health and human services
24 agencies to one or more community-based programs to provide

1 community-based services to the child after the child leaves the
2 institution.

3 SECTION 2. If before implementing any provision of this Act
4 a state agency determines that a waiver or authorization from a
5 federal agency is necessary for implementation of that provision,
6 the agency affected by the provision shall request the waiver or
7 authorization and may delay implementing that provision until the
8 waiver or authorization is granted.

9 SECTION 3. This Act takes effect September 1, 2003.