

By: Madla

S.B. No. 528

A BILL TO BE ENTITLED

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AN ACT

relating to certain money received by a regional advisory council for trauma care.

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

SECTION 1. Sections 773.122(c) and (d), Health and Safety Code, are amended to read as follows:

(c) In any fiscal year the commissioner shall use at least 70 percent of the appropriated money remaining in the account, after any amount necessary to maintain the reserve established by Subsection (b) is deducted, to fund, in connection with an effort to provide coordination with the appropriate trauma service area, the cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. The money shall be distributed on behalf of eligible recipients in each county to the trauma service area regional advisory council for that county, if the regional advisory council is incorporated as an entity that is exempt from federal income tax under Section 501(a), Internal Revenue Code of 1986, and its subsequent amendments, by being listed as an exempt organization under Section 501(c)(3) of the code. For a county for which the regional advisory council is not incorporated as such an entity, the money shall be distributed to the county on behalf of eligible recipients. The share of the money allocated to the eligible recipients in a county's geographic area shall be based on

1 the relative geographic size and population of the county and on the
2 relative number of emergency or trauma care runs performed by
3 eligible recipients in the county. Money that is not disbursed by a
4 regional advisory council or a county to eligible recipients for
5 approved functions by the end of the fiscal year in which the funds
6 were disbursed may be retained by the council or county [~~shall be~~
7 ~~returned to the account~~] to be used during the following fiscal year
8 in accordance with this subsection [~~Subsection (f)~~]. Money that is
9 not disbursed by the council or county during the following fiscal
10 year shall be returned to the account.

11 (d) In any fiscal year, the commissioner may use not more
12 than 25 percent of the appropriated money remaining in the account,
13 after any amount necessary to maintain the reserve established by
14 Subsection (b) is deducted, for operation of the 22 trauma service
15 areas and for equipment, communications, and education and training
16 for the areas. Money distributed under this subsection shall be
17 distributed on behalf of eligible recipients in each county to the
18 trauma service area regional advisory council for that county, if
19 the regional advisory council is incorporated as an entity that is
20 exempt from federal income tax under Section 501(a), Internal
21 Revenue Code of 1986, and its subsequent amendments, by being
22 listed as an exempt organization under Section 501(c)(3) of the
23 code. For a county for which the regional advisory council is not
24 incorporated as such an entity, the money shall be distributed to
25 the county in which the chairperson of an area's regional advisory
26 council sits on behalf of eligible recipients. A regional advisory
27 council's share of money distributed under this section shall be

1 based on the relative geographic size and population of each trauma
2 service area and on the relative amount of trauma care provided.
3 Money that is not disbursed by a regional advisory council or county
4 to eligible recipients for approved functions by the end of the
5 fiscal year in which the funds were disbursed may be retained by the
6 council or county [~~shall be returned to the account~~] to be used
7 during the following fiscal year in accordance with this subsection
8 [~~Subsection (f)~~]. Money that is not disbursed by the council or
9 county during the following fiscal year shall be returned to the
10 account.

11 SECTION 2. This Act takes effect September 1, 2003, and
12 applies only to funds disbursed under Section 773.122, Health and
13 Safety Code, on or after that date. Funds disbursed under Section
14 773.122, Health and Safety Code, before September 1, 2003, are
15 governed by the law as it existed immediately before that date, and
16 that law is continued in effect for that purpose.