

## **BILL ANALYSIS**

H.B. 65  
By: Delisi  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Faith- and community-based organizations play an indispensable role in assisting those in need in our state. However, the State of Texas is not currently using this available assistance to its best advantage and the opportunities that exist to work more closely with these private-sector groups. The bill seeks to expand the role of faith and community-based organizations in forming partnerships with state agencies to more effectively meet the social service needs of Texans.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Health and Human Services Commission in SECTION 2 of this bill.

### **ANALYSIS**

The bill establishes the Texas Mentoring Initiative, to be established and administered by the governor to fund activities that create and expand mentoring opportunities, promote responsible fatherhood and healthy marriages, and increase the capacity of faith- and community-based organizations to provide mentoring services and increase their participation, subject to the availability of appropriated funds. To implement the Texas mentoring initiative, the office of the governor may coordinate with, the Health and Human Services Commission (HHSC), the Office of the Attorney General (OAG), the Texas Education Agency (TEA), the Texas Workforce Commission (TWC), and other appropriate state agencies as well as federal agencies and political subdivisions of this state, faith- and community-based organizations, and other persons with expertise or interest in mentoring services. The office of the governor must provide grants to fund activities that expand mentoring opportunities, provide mentoring to at-risk youth to help those youth with leadership skills and personal success, serve children of persons who are incarcerated, improve school attendance and performance, promote responsible fatherhood, expand the involvement of businesses, schools, and faith- and community-based organizations in providing mentoring services and increase partnership opportunities between those entities and state government, discourage use of drugs and alcohol by youth, promote healthy marriages through education and marriage skills programs, and support the renewing our communities account.

The bill requires the HHSC to establish a searchable internet database of state-wide volunteer opportunities to assist state agencies and to faith- and community-based organizations that partner with a state agency in delivering services, and for each state agency that has a faith- and community-based liaison to provide regularly updated information on volunteer opportunities. It gives rulemaking authority to the HHSC to establish minimum requirements the state agency or faith- or community-based organization must meet to submit a volunteer opportunity on the database, including the types of opportunities and minimum information. rulemaking authority is also granted for the method by which a prospective volunteer may contact a person at the agency or organization that lists an opportunity on the database. The HHSC may provide links to other websites that list volunteer opportunities with charitable organizations and create a downloadable link to the database that another Internet website may use to refer others to the database, and may directly operate and maintain the database, or to contract or partner to do so. The HHSC is required to establish this database by January 1, 2006.

It defines community-based and faith-based organizations. The bill states the purpose of Chapter 535 is to strengthen faith- and community-based organizations to provide services to the people of this state. This does not a exempt a faith- or community-based organization from any state or

federal law, does not endorse any beliefs or doctrines of a faith-based organization, and in compliance with federal law. It requires the executive commissioner, in consultation with the governor, to designate one employee from each health and human services agency, and the chief administrative officer, in consultation with the governor, of the Office of Rural Community Affairs, the Texas Commission on Environmental Quality, the Texas Department of Criminal Justice, the Texas Department of Housing and Community Affairs, the TEA, the Texas Juvenile Probation Commission, the Texas Veterans Commission, the TWC, the Texas Youth Commission, and other state agencies determined by the governor to serve as a liaison for faith- and community-based organizations. The duties of a liaison include, identifying and removing unnecessary barriers to partnerships, providing information and training to faith- and community-based organizations, identifying effective practices, conducting outreach to organizations that have not traditionally formed partnerships with the agency, coordinating and providing information, as well as assistance to the governor's office of faith-based and community initiatives, and attending conferences sponsored by federal agencies, offices and relevant entities to remain informed.

The bill creates the Interagency Coordinating Group, composed of the liaisons to remove unnecessary interagency barriers to partnerships between state agencies. The liaison must provide periodic reports to the designator on schedule to be determined, report annually to the governor's office of faith-based and community initiatives regarding liaison duties, as well as making the report available through posting on the governor's Internet website. It also requires that the executive commissioner of HHSC establish a center for faith- and community-based initiatives within the HHSC and provide appropriate staff, administrative support services and other resources to enable the center to perform its duties, and in consultation with the governor, appoint a director for the center. The duties of the center include the same duties as liaisons, with the addition of developing proposals for pilot programs, coordinating the use of volunteers, and serving as an informational resource for the legislature on ongoing efforts. The director of the center must provide periodic reports to the executive commissioner regarding the center's performance of duties and report annually to the governor's office of faith-based and community initiatives on the performance of duties and performance measures determined by the center, making the report to the governor available to the public.

The bill creates the Renewing Our Communities Account in the general revenue fund to be used for strengthening faith- and community-based organizations that provide charitable services, to increase the effectiveness of those organizations, forge stronger partnerships between those organizations and state government, and create a funding mechanism that builds on the established efforts of those organizations and operates to create new partnerships in local communities. Money in the account comes from legislative appropriations, gifts, grants, and donations, and interest earned on money in the account. The purpose of the account is to increase the capacity of and strengthen faith- and community-based organizations, assist local governments in creating local offices, foster better partnerships, leverage state and local resources to acquire federal or private grant funds. The HHSC must develop and implement a competitive process for awarding grants, oversee the delivery of training and assistance, limiting grant awards used for capacity-building to small and medium sized organizations, establish general state priorities, and monitor performance and outcome measures of award recipients. The HHSC may directly or through agreements, assist the se organizations with the writing or managing of grants, legal assistance, referrals on business matters, building the organization's capacity, facilitate networking among organizations, conduct needs assessments, identification of best practices, research organizational capacity, award grants for local offices, assist local governments in creating better partnerships, use the account for matching funds from federal or private grant programs, and to contract with the governor's office of faith-based and community initiatives to administer the program or perform duties.

The bill creates the Faith- and Community-Based Initiatives Advisory Committee with members of the community appointed by the executive commissioner, which is required to make recommendations relating to the executive commissioner's powers and duties with respect to the account. The advisory committee must meet at least twice each calendar year, unless there are insufficient funds to perform duties. The bill sets the deadlines for the selection of liaisons not later than September 1, 2005, a center director not later than September 15, 2005, and for an initial report to the governor's office on December 15, 2005 listing performance measures that are to be included in the annual report to the governor.

The bill requires a state agency, if it determines a waiver or authorization from a federal agency is necessary, to request the waiver and delay implementation until the waiver is granted.

**EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect on the 91st day after the last day of the legislative session.