By:  Janek                                                S.B. No. 47

A BILL TO BE ENTITLED

1                                  AN ACT

2    relating to the provision of children's substitute care and case

3    management services by county governmental agencies.

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

5        SECTION 1.  Subchapter A, Chapter 45, Human Resources Code,

6    is amended by adding Section 45.005 to read as follows:

7        Sec. 45.005.  PROVISION  OF  SUBSTITUTE  CARE  AND  CASE

8    MANAGEMENT    SERVICES    BY    COUNTY    GOVERNMENTAL    AGENCIES.

9    Notwithstanding any other provision of this chapter, the department

10   or  an  independent  administrator  may  contract  with  a  county

11   governmental agency for the provision of substitute care and case

12   management  services  in  this  state  if  the  agency  holds  the

13   appropriate license, certification, or registration issued by the

14   department.

15       SECTION 2.  Section 264.106, Family Code, is amended by

16   adding Subsection (l) to read as follows:

17       (l)  Notwithstanding  any  other  provision  of  this  section,

18   the department or an independent administrator may contract with a

19   county governmental agency for the provision of substitute care and

20   case management  services  in  this  state  if  the  agency  holds  the

21   appropriate license, certification, or registration issued by the

22   department.

23       SECTION 3.  The authority provided by Section 45.005, Human

24   Resources Code, and Section 264.106(l), Family Code, as added by

1    this Act, applies to a contract described by those sections,

2    regardless of whether the contract is executed before or after

3    September 1, 2011, and the authority does not expire on September 1,

4    2012, notwithstanding the expiration of Chapter 45, Human Resources

5    Code.

6         SECTION 4.  This Act takes effect immediately if it receives

7    a vote of two-thirds of all the members elected to each house, as

8    provided by Section 39, Article III, Texas Constitution.  If this

9    Act does not receive the vote necessary for immediate effect, this

10    Act takes effect on the 91st day after the last day of the

11    legislative session.