

## **BILL ANALYSIS**

Senate Research Center  
79R10980 MFC-F

H.B. 1982  
By: Blake (Staples)  
Business & Commerce  
5/1/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

H.B. 1982 amends the Agriculture Code by adding Section 12.039 (Texas Certified Retirement Community Program) to provide for the establishment and operation of the Texas Certified Retirement Community Program within the Department of Agriculture.

The mature market, meaning persons age 50 and older, comprised over 70 million individuals in the United States in 2003, most of whom will be retiring in the next five to 10 years. This market owns 77 percent of privately held financial assets, 80 percent of all money in United States savings and loan institutions, and controls half of the discretionary spending in the country.

H.B. 1982 creates a program that will give communities another tool to market and promote themselves as a desirable location for retirees seeking to relocate in Texas.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Agriculture in SECTION 1 (Section 12.039, Agriculture Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 12, Agriculture Code, by adding Section 12.039, as follows:

Sec. 12.039. TEXAS CERTIFIED RETIREMENT COMMUNITY PROGRAM. (a) Defines "program."

(b) Requires the Texas Department of Agriculture (department) to establish and maintain a Texas Certified Retirement Community Program (program) in which retirees and potential retirees are encouraged to make their homes in Texas communities that have met the criteria for certification by the department as a Texas certified retirement community.

(c) Sets forth the mission of the program.

(d) Requires a community to meet certain criteria to be eligible to be a Texas certified retirement community.

(e) Requires the department to develop and use a scoring system to determine whether an applicant will qualify as a Texas certified retirement community. Requires the department, in addition to the requirements of Subsection (d), to consider the applicant community in relation to certain criteria as part of the scoring system.

(f) Requires the department to consult with the Office of Rural Community Affairs to establish parameters for certification of rural communities under this section.

(g) Requires the department to provide certain forms of assistance to a community if the department finds that the community successfully meets the

requirements of a Texas certified retirement community, not later than the 90th day after the application is submitted.

(h) Provides that a community's certification under this section expires on the fifth anniversary of the date the initial certification is issued. Requires an applicant community to take certain actions to be considered for recertification by the department.

(i) Provides that the program account is an account in the general revenue fund composed of fees collected under Subsection (d). Authorizes money in the account to be appropriated to the department only for the purposes of this section, including the payment of administrative and personnel costs associated with administering the program.

(j) Authorizes the department to contract with a local or regional nonprofit organization to provide a service described by Subsection (g) to a community in this state.

(k) Requires the department to adopt rules to implement this section.

SECTION 2. Requires the department to implement the program created by Section 12.039, Agriculture Code, as added by this Act, not later than September 1, 2006.

SECTION 3. Effective date: September 1, 2005.