

AN ACT

relating to a competitive grant program for aging and disability services.

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

SECTION 1. Section 142.0174, Health and Safety Code, is amended to read as follows:

Sec. 142.0174. USE OF ADMINISTRATIVE PENALTY [~~DEPOSITED TO STATE TREASURY~~]. An administrative penalty collected under this subchapter may [~~shall~~] be appropriated for the purpose of funding the grant program established under Section 161.074, Human Resources Code [~~deposited in the state treasury to the credit of the general revenue fund~~].

SECTION 2. Subchapter C, Chapter 242, Health and Safety Code, is amended by adding Section 242.0695 to read as follows:

Sec. 242.0695. USE OF ADMINISTRATIVE PENALTY. Money from an administrative penalty collected under this subchapter may be appropriated for the purpose of funding the grant program established under Section 161.074, Human Resources Code.

SECTION 3. Subchapter C, Chapter 247, Health and Safety Code, is amended by adding Section 247.0458 to read as follows:

Sec. 247.0458. USE OF ADMINISTRATIVE PENALTY. Money from an administrative penalty collected under this subchapter may be appropriated for the purpose of funding the grant program established under Section 161.074, Human Resources Code.

1 SECTION 4. Section 252.069, Health and Safety Code, is  
2 amended to read as follows:

3 Sec. 252.069. USE OF ADMINISTRATIVE PENALTY [~~DEPOSITED TO~~  
4 ~~STATE TREASURY~~]. An administrative penalty collected under this  
5 subchapter may [~~shall~~] be appropriated for the purpose of funding  
6 the grant program established under Section 161.074, Human  
7 Resources Code [~~deposited in the state treasury to the credit of the~~  
8 ~~general revenue fund~~].

9 SECTION 5. Subchapter D, Chapter 161, Human Resources Code,  
10 is amended by adding Section 161.074 to read as follows:

11 Sec. 161.074. COMPETITIVE GRANT PROGRAM. (a) The  
12 department shall establish a competitive grant program that  
13 promotes innovation in the delivery of aging and disability  
14 services and improves the quality of life for individuals receiving  
15 those services.

16 (b) A grant awarded by the department under the program  
17 shall be used to:

18 (1) test innovative practices in the provision of  
19 aging and disability services; or

20 (2) disseminate information regarding innovative  
21 practices being used to provide aging and disability services.

22 (c) The department shall request proposals for the award of  
23 a grant under the program. The department shall evaluate the  
24 proposals and award a grant based on a proposal's academic  
25 soundness, quantifiable effectiveness, and potentially positive  
26 impact on the delivery of aging and disability services.

27 (d) A grant awarded under Subsection (b)(1) must be made to

1 an institution of higher education working in cooperation with a  
2 private entity that has committed resources to the project  
3 described in the proposal.

4 (e) A grant recipient may use grant money received under  
5 this section only to pay for activities directly related to the  
6 purpose of the grant program as described by Subsection (b) and may  
7 not use grant money for fees or advertising.

8 (f) The department shall establish procedures to administer  
9 the grant program, including a procedure for the submission of a  
10 proposal and a procedure to be used by the department to evaluate a  
11 proposal.

12 (g) The department shall enter into a contract that includes  
13 performance requirements with each grant recipient. The department  
14 shall monitor and enforce the terms of the contract. The contract  
15 must authorize the department to recoup grant money from a grant  
16 recipient for failure of the grant recipient to comply with the  
17 terms of the contract.

18 (h) The department shall post on its website a summary of  
19 each grant awarded under this section.

20 (i) The legislature may appropriate money described by  
21 Sections 142.0174, 242.0695, 247.0458, and 252.069, Health and  
22 Safety Code, including unexpended and unobligated amounts  
23 collected during a previous state fiscal biennium, to fund the  
24 grant program authorized by this section.

25 SECTION 6. Section 242.405, Health and Safety Code, is  
26 repealed.

27 SECTION 7. It is the intent of the legislature that the

1 Department of Aging and Disability Services shall establish the  
2 grant program authorized by Section 161.074, Human Resources Code,  
3 as added by this Act, only if the department determines that the  
4 administrative penalties described by Sections 142.0174, 242.0695,  
5 247.0458, and 252.069, Health and Safety Code, are sufficient to  
6 fund the grants to be awarded.

7 SECTION 8. This Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 52 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0; May 27, 2005, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 28, 2005, House granted request of the Senate; May 29, 2005, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 52 passed the House, with amendment, on May 25, 2005, by a non-record vote; May 28, 2005, House granted request of the Senate for appointment of Conference Committee; May 29, 2005, House adopted Conference Committee Report by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor