

By: Staples

S.B. No. 1321

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation and operation of a Texas Certified  
3 Retirement Community Program.

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

5 SECTION 1. Chapter 12, Agriculture Code, is amended by  
6 adding Section 12.039 to read as follows:

7 Sec. 12.039. TEXAS CERTIFIED RETIREMENT COMMUNITY PROGRAM.

8 (a) In this section, "program" means the Texas Certified  
9 Retirement Community Program.

10 (b) The department shall establish and maintain a Texas  
11 Certified Retirement Community Program in which retirees and  
12 potential retirees are encouraged to make their homes in Texas  
13 communities that have met the criteria for certification by the  
14 department as a Texas certified retirement community.

15 (c) The mission of the program is to:

16 (1) promote this state as a retirement destination to  
17 retirees and potential retirees both in and outside Texas;

18 (2) assist Texas communities in their efforts to  
19 market themselves as desirable retirement locations and to develop  
20 communities that retirees would find attractive for a retirement  
21 lifestyle;

22 (3) assist in the development of retirement  
23 communities for economic development purposes and as a means of  
24 providing a potential workforce and enriching Texas communities;

1 and

2 (4) encourage tourism to Texas in reference to an  
3 evaluation of the state as a desirable retirement location and for  
4 the visitation of those who have chosen to retire in this state.

5 (d) To be eligible to be a Texas certified retirement  
6 community, a community shall:

7 (1) through a board or panel that serves as the  
8 community's official program sponsor:

9 (A) complete a retiree desirability assessment,  
10 as developed by the department, to include facts regarding crime  
11 statistics, tax information, recreational opportunities, housing  
12 availability, and other appropriate factors, including criteria  
13 listed in Subsection (e); and

14 (B) work to gain the support of churches, clubs,  
15 businesses, media, and other entities, as necessary for the success  
16 of the program in the community;

17 (2) identify emergency medical services and a hospital  
18 within a 75-mile radius of the community; and

19 (3) submit to the department:

20 (A) an application fee in the amount of \$5,000.  
21 Fees derived from the submission of an application shall be used by  
22 the department to administer the program;

23 (B) a marketing plan detailing the mission as  
24 applied to the community, the target market, the competition, an  
25 analysis of the community's strengths, weaknesses, opportunities  
26 and dangers, and the strategies the community will employ to attain  
27 the goals of the program; and

1                   (C) a long-term outlining the steps the community  
2 will undertake to maintain its desirability as a destination for  
3 retirees, including an outline of plans to correct any facility and  
4 service deficiencies identified in the retiree desirability  
5 assessment required by Subdivision (1)(A).

6           (e) The department shall develop and use a scoring system to  
7 determine whether an applicant will qualify as a Texas certified  
8 retirement community. In addition to the requirements of  
9 Subsection (d), the department shall consider as part of the  
10 scoring system the applicant community in relation to the following  
11 criteria:

- 12                   (1) Texas' state and local tax structure;
- 13                   (2) housing opportunities and cost;
- 14                   (3) climate;
- 15                   (4) personal safety;
- 16                   (5) working opportunities;
- 17                   (6) health care services and other services along the  
18 continuum of care, including home-based and community-based  
19 services, housing for the elderly, assisted living, personal care,  
20 and nursing care facilities;
- 21                   (7) transportation;
- 22                   (8) continuing education;
- 23                   (9) leisure living;
- 24                   (10) recreation;
- 25                   (11) the performing arts;
- 26                   (12) festivals and events;
- 27                   (13) sports at all levels; and

1           (14) other services and facilities that are necessary  
2 to enable persons to age in the community and in the least  
3 restrictive environment, as may be identified by the Department of  
4 Aging and Disability Services.

5           (f) The department shall consult with the Office of Rural  
6 Community Affairs to establish parameters for certification of  
7 rural communities under this section.

8           (g) If the department finds that a community successfully  
9 meets the requirements of a Texas certified retirement community,  
10 not later than the 90th day after the application is submitted, the  
11 department shall provide the following assistance to the community:

12           (1) assistance in the training of local staff and  
13 volunteers;

14           (2) ongoing oversight and guidance in marketing, plus  
15 updates on retirement trends;

16           (3) inclusion in the state's national advertising and  
17 public relations campaigns and travel show promotions, including a  
18 prominent feature on the department's Internet website, to be  
19 coordinated with the Internet websites of other agencies, as  
20 appropriate;

21           (4) eligibility for state financial assistance for  
22 brochures, support material, and advertising; and

23           (5) an evaluation and progress assessment on  
24 maintaining and improving the community's desirability as a home  
25 for retirees.

26           (h) A community's certification under this section expires  
27 on the fifth anniversary of the date the initial certification is

1 issued. To be considered for recertification by the department, an  
2 applicant community must:

3 (1) complete and submit a new application in  
4 accordance with the requirements of Subsection (d); and

5 (2) submit data demonstrating the success or failure  
6 of the community's efforts to market and promote itself as a  
7 desirable location for retirees and potential retirees.

8 (i) The department shall adopt rules to implement this  
9 section.

10 SECTION 2. The Department of Agriculture shall implement  
11 the program created by Section 12.039, Agriculture Code, as added  
12 by this Act, not later than September 1, 2006.

13 SECTION 3. This Act takes effect September 1, 2005.