

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 29, 2005

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2378 by Swinford (Relating to transferring responsibility for the child-care facilities for state employees from the Texas Building and Procurement Commission to the Health and Human Services Commission.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 663 of the Government Code to direct the Health and Human Services Commission (HHSC) to assume responsibility of child-care facilities for state employees instead of the Texas Building and Procurement Commission (TBPC).

TBPC would retain the responsibility for leasing a site for a child-care facility to a child care provider, although the responsibility for selecting the provider would be transferred to HHSC. The responsibility for establishing the methods for administering and supervising the program would be assumed by the executive commissioner of HHSC. This bill would transfer all remaining responsibility relating to the child-care facility program involving TBPC to HHSC, including all functions, proceedings, contracts, properties, and any unexpended and unobligated money appropriated for TBPC. The transfer would take place on November 1, 2005.

The bill would take effect immediately upon enactment, assuming that it receives the requisite two-thirds majority votes in both houses of the legislature. Otherwise, it would take effect September 1, 2005.

Since the bill would move certain functions from one state agency (TBPC) to another (HHSC), no significant fiscal impact to the state is anticipated. It is assumed that HHSC would oversee child care services contracts in a similar manner as TBPC does currently. TBPC monitors child care vendors as a part of their overall contract monitoring activities. It is assumed that HHSC could do the same. TBPC states they do not charge the vendor for the child care space and they provide maintenance free of charge. In addition, it is assumed that HHSC would not be required to subsidize the cost of child care.

HHSC also notes a concern that there exists a potential for conflict of interest in HHSC administering child care centers since the Department of Family and Protective Services (DFPS) has authority over child care and the executive commissioner of HHSC is the rulemaking authority for DFPS.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 303 Building and Procurement Commission, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

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