

By: Chisum

H.B. No. 407

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a home-delivered meal grant program in the Department of Agriculture.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.042 to read as follows:

Sec. 12.042. HOME-DELIVERED MEAL GRANT PROGRAM. (a) The department shall establish a home-delivered meal grant program to benefit homebound elderly and disabled people in this state. The program must be designed to help defray the costs of providing home-delivered meals that are not paid by the Department of Aging and Disability Services or an area agency on aging.

(b) From funds appropriated for that purpose, the department shall make grants to qualifying organizations that provide home-delivered meals to the homebound elderly and disabled. The department may use not more than five percent of those appropriated funds for the administration of the grant program.

(c) An organization applying to the department for a grant under this section must:

(1) be a governmental agency or a nonprofit private organization that is exempt from taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code, that is a direct provider of home-delivered meals to senior citizens or persons with

1 disabilities in this state;

2 (2) if it is a nonprofit private organization, have a  
3 volunteer board of directors;

4 (3) practice nondiscrimination;

5 (4) have an accounting system or fiscal agent approved  
6 by the county in which it provides meals;

7 (5) have a system to prevent the duplication of  
8 services to the organization's clients; and

9 (6) agree to use funds received under this section  
10 only to supplement and extend existing services related directly to  
11 home-delivered meal services.

12 (d) Before an organization may receive a grant from the  
13 department, the county in which the organization provides meals  
14 must make a grant to the organization. If the county makes a grant  
15 to the organization in an amount that is less than 25 cents for each  
16 person at least 60 years of age who resides in the county, according  
17 to the most recent federal decennial census, the maximum amount the  
18 department may provide to organizations in the county under  
19 Subsection (h) is reduced to an amount in proportion to the amount  
20 by which the county grant is less than 25 cents for each resident.

21 (e) The department shall require an organization seeking a  
22 grant to file an application in a form approved by the department.  
23 The application must be postmarked not later than November 1 and  
24 must include:

25 (1) the organization's name and address;

26 (2) the names, titles, and notarized signatures of the  
27 organization's executive and board chair;

1           (3) the name of the county in relation to which the  
2 organization is applying;

3           (4) the number of residents at least 60 years of age  
4 who reside in that county, according to the most recent federal  
5 decennial census;

6           (5) the amount of the grant awarded by that county as  
7 required by Subsection (d);

8           (6) the number of meals the organization delivered to  
9 elderly or disabled persons in that county during the preceding  
10 state fiscal year that were not paid for by the Department of Aging  
11 and Disability Services or an area agency on aging;

12           (7) appropriate documentation demonstrating that the  
13 organization:

14               (A) is a qualifying governmental agency or  
15 nonprofit organization;

16               (B) has been awarded a grant by the county in  
17 relation to which the organization is applying, as required by  
18 Subsection (d); and

19               (C) has delivered the number of meals reported  
20 under Subdivision (6);

21           (8) the organization's most recent financial statement  
22 or audited financial report; and

23           (9) a list of the organization's board and officers.

24           (f) An organization that applies for a grant for meals  
25 delivered in more than one county must submit a separate  
26 application in relation to each county.

27           (g) The department annually shall determine:

1           (1) the total amount of money available for grants  
2 under this section;

3           (2) the number of residents at least 60 years of age in  
4 this state, according to the most recent federal decennial census;  
5 and

6           (3) the number of residents at least 60 years of age in  
7 each county in this state, according to the most recent federal  
8 decennial census.

9           (h) Except as provided by Subsections (d) and (i), grants  
10 from the department to qualifying organizations in a county in a  
11 state fiscal year may not exceed an amount determined by the  
12 formula:

$$\text{CR} \times (\text{TD} / \text{SR})$$

14 where:

15           "CR" is the number of residents at least 60 years of age in  
16 the county;

17           "TD" is the total amount of money appropriated to the  
18 department for that state fiscal year to provide grants, less the  
19 department's administrative expenses; and

20           "SR" is the number of residents at least 60 years of age in  
21 this state.

22           (i) Not later than December 1 of each year, the department  
23 shall issue a grant to each qualifying organization that has  
24 submitted an approved application under this section. Subject to  
25 Subsections (d) and (h), the department shall issue grants in an  
26 amount equal to one dollar for each meal that the organization  
27 delivered to homebound elderly or disabled persons in the county in

1 the preceding state fiscal year that was not paid for by the  
2 Department of Aging and Disability Services or an area agency on  
3 aging. If more than one qualifying organization delivers meals in a  
4 county, the department shall reduce the grants proportionally to  
5 each qualifying organization in that county so that the total  
6 amount of the grants to the organizations does not exceed the amount  
7 described by Subsection (h).

8 (j) If the total amount of the grants issued by the  
9 department under Subsection (i) is less than the amount  
10 appropriated to fund the program under this section in a state  
11 fiscal year, the department shall use the unspent funds to  
12 proportionally increase the grants to each qualifying  
13 organization.

14 (k) The home-delivered meal fund is an account in the  
15 general revenue fund. Money in the account may be appropriated only  
16 to the department to award grants under this section and to pay for  
17 the operation of the program under this section.

18 SECTION 2. Not later than October 1, 2007, the Department of  
19 Agriculture shall adopt rules as required by Section 12.042,  
20 Agriculture Code, as added by this Act.

21 SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2007.