

AN ACT

relating to grants provided to local guardianship programs.

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

SECTION 1. Section 531.125, Government Code, is amended to read as follows:

Sec. 531.125. GRANTS. (a) The commission by rule may award grants to:

(1) a local guardianship program, subject to the requirements of this section; and

(2) a local legal guardianship program to enable low-income family members and friends to have legal representation in court if they are willing and able to be appointed guardians of proposed wards who are indigent.

(b) To receive a grant under Subsection (a)(1), a local guardianship program operating in a county that has a population of at least 150,000 must offer or submit a plan acceptable to the commission to offer, among the program's services, a money management service for appropriate clients, as determined by the program. The local guardianship program may provide the money management service directly or by referring a client to a money management service that satisfies the requirements under Subsection (c).

(c) A money management service to which a local guardianship program may refer a client must:

1 (1) use employees or volunteers to provide bill
2 payment or representative payee services;

3 (2) provide the service's employees and volunteers
4 with training, technical support, monitoring, and supervision;

5 (3) match employees or volunteers with clients in a
6 manner that ensures that the match is agreeable to both the employee
7 or volunteer and the client;

8 (4) insure each employee and volunteer, and hold the
9 employee or volunteer harmless from liability, for damages
10 proximately caused by acts or omissions of the employee or
11 volunteer while acting in the course and scope of the employee's or
12 volunteer's duties or functions within the organization;

13 (5) have an advisory council that meets regularly and
14 is composed of persons who are knowledgeable with respect to issues
15 related to guardianship, alternatives to guardianship, and related
16 social services programs;

17 (6) be administered by a nonprofit corporation:

18 (A) formed under the Texas Nonprofit Corporation
19 Law, as described by Section 1.008, Business Organizations Code;
20 and

21 (B) exempt from federal taxation under Section
22 501(a), Internal Revenue Code of 1986, by being listed as an exempt
23 entity under Section 501(c)(3) of that code; and

24 (7) refer clients who are in need of other services
25 from an area agency on aging to the appropriate area agency on
26 aging.

27 (d) A local guardianship program operating in a county that

1 has a population of less than 150,000 may, at the program's option,
2 offer, either directly or by referral, a money management service
3 among the program's services. If the program elects to offer a
4 money management service by referral, the service must satisfy the
5 requirements under Subsection (c), except as provided by Subsection
6 (e).

7 (e) On request by a local guardianship program, the
8 commission may waive a requirement under Subsection (c) if the
9 commission determines that the waiver is appropriate to strengthen
10 the continuum of local guardianship programs in a geographic area.

11 SECTION 2. The change in law made by this Act applies only
12 to a grant awarded by the Health and Human Services Commission to a
13 local guardianship program on or after the effective date of this
14 Act.

15 SECTION 3. This Act takes effect September 1, 2007.

H.B. No. 2691

President of the Senate

Speaker of the House

I certify that H.B. No. 2691 was passed by the House on May 9, 2007, by the following vote: Yeas 134, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2691 was passed by the Senate on May 21, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor