

By: Truitt

H.B. No. 2691

A BILL TO BE ENTITLED

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 Subsection (b); 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 must 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. A money management service must:

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

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

(3) match employees or volunteers with clients in a

1 manner that ensures that the match is agreeable to both the employee  
2 or volunteer and the client;

3 (4) insure each employee and volunteer, and hold the  
4 employee or volunteer harmless from liability, for damages  
5 proximately caused by acts or omissions of the employee or  
6 volunteer while acting in the course and scope of the employee's or  
7 volunteer's duties or functions within the organization;

8 (5) have an advisory council that meets regularly and  
9 is composed of persons who are knowledgeable with respect to issues  
10 related to guardianship, alternatives to guardianship, and related  
11 social services programs;

12 (6) be administered by a nonprofit corporation:

13 (A) formed under the Texas Nonprofit Corporation  
14 Law, as described by Section 1.008, Business Organizations Code;  
15 and

16 (B) exempt from federal taxation under Section  
17 501(a), Internal Revenue Code of 1986, by being listed as an exempt  
18 entity under Section 501(c)(3) of that code; and

19 (7) refer clients who are in need of other services  
20 from an area agency on aging to the appropriate area agency on  
21 aging.

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

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