

By: Truitt (Senate Sponsor - Uresti) H.B. No. 2691  
(In the Senate - Received from the House May 10, 2007;  
May 14, 2007, read first time and referred to Committee on  
Jurisprudence; May 17, 2007, reported favorably by the following  
vote: Yeas 5, Nays 0; May 17, 2007, sent to printer.)

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

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

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

(6) be administered by a nonprofit corporation:

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

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

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

(d) A local guardianship program operating in a county that  
has a population of less than 150,000 may, at the program's option,  
offer, either directly or by referral, a money management service  
among the program's services. If the program elects to offer a  
money management service by referral, the service must satisfy the  
requirements under Subsection (c), except as provided by Subsection  
(e).

(e) On request by a local guardianship program, the

commission may waive a requirement under Subsection (c) if the  
commission determines that the waiver is appropriate to strengthen  
the continuum of local guardianship programs in a geographic area.

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

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

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