

By: Watson

S.B. No. 286

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of a home-delivered meal grant
3 program in the Department of Agriculture.

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

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

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

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

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

20 (1) be a governmental agency or a nonprofit private
21 organization that is exempt from taxation under Section 501(a),
22 Internal Revenue Code of 1986, as an organization described by
23 Section 501(c)(3) of that code, that is a direct provider of
24 home-delivered meals to the elderly or persons with disabilities in

1 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 elderly
21 resident.

22 (e) The department shall require an organization seeking a
23 grant to file an application in a form approved by the department.
24 The application must be notarized and signed by the organization's
25 executive director and board chair, if applicable, must be
26 postmarked not later than November 1, and must include:

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

1 (2) the names and titles of the organization's
2 executive director and board chair, if applicable;

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

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

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

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

14 (7) appropriate documentation demonstrating that the
15 organization:

16 (A) is a qualifying governmental agency or
17 nonprofit private organization;

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

21 (C) has delivered the number of meals reported
22 under Subdivision (6);

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

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

26 (f) An organization that applies for a grant for meals
27 delivered in more than one county must submit a separate

1 application in relation to each county.

2 (g) The department annually shall determine:

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

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

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

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

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

15 where:

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

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

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

23 (i) Not later than December 1 of each year, the department
24 shall make a grant to each qualifying organization that has
25 submitted an approved application under this section. Subject to
26 Subsections (d) and (h), the department shall make grants in an
27

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

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

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

19 SECTION 2. As soon as practical after the effective date of
20 this Act, the Department of Agriculture shall adopt rules as
21 required by Section 12.042, Agriculture Code, as added by this Act.

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