

**House Bill 748**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter D, Chapter 161, Human Resources Code, is amended by adding Section 161.077 to read as follows:

Sec. 161.077. CONTRACTS FOR SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES. A person that provides disability services may contract with a state school or state center for the school or center to provide services and resources to support individuals with developmental disabilities, including individuals with dual diagnosis disorders.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by

SENATE VERSION

SECTION 1. Subchapter D, Chapter 161, Human Resources Code, is amended by adding Section 161.077 to read as follows:

Sec. 161.077. CONTRACTS FOR SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES. (a) A person that provides disability services may contract with a state school or state center for the school or center to provide services and resources to support individuals with developmental disabilities, including individuals with dual diagnosis disorders.

(b) Notwithstanding any other law, a state school or state center may provide nonresidential services to support an individual if:

(1) the individual:

(A) is receiving services in a program funded by the department;

(B) meets the eligibility criteria for the intermediate care facility for persons with mental retardation program; and

(C) resides in the area in which the state school or state center is located; and

(2) the provision of services to the individual does not interfere with the provision of services to a resident of the state school or state center.

Same as House version.

CONFERENCE



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the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

SENATE VERSION

Same as House version.

CONFERENCE