

## **BILL ANALYSIS**

H.B. 1493  
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Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Observers note that the Texas Department of Rural Affairs was recently abolished and that many of its program functions were transferred to the Department of Agriculture (TDA). However, not all of the outdated references or duplicative provisions were amended accordingly. H.B. 1493 seeks to address these issues to fully reflect the transfer of these programs to TDA, eliminate duplication of general authorities and redundant reporting requirements, and eliminate or reduce certain requirements for unfunded and inactive programs.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority previously granted to the commissioner of agriculture is transferred to the Department of Agriculture (TDA) in SECTIONS 5, 12, 13, 20, 22, 24, 25, 26, 28, 29, 31, 35, and 36 of this bill; that rulemaking authority previously granted to the Office of Rural Affairs is transferred to the TDA in SECTION 9 of this bill; and that rulemaking authority previously granted to the executive committee is transferred to the TDA in SECTION 43 of this bill.

### **ANALYSIS**

H.B. 1493 amends the Government Code to redefine "department" to mean the Department of Agriculture (TDA) rather than the Office of Rural Affairs established within the TDA as such term applies to provisions relating to the office, including provisions regarding general provisions, administrative provisions, general powers and duties, the outstanding rural scholar recognition and loan program for rural health care, the health careers promotion and education program, the medically underserved community-state matching incentive program, the Texas health service corps program for medically underserved areas, rural health facility capital improvement, the community development block grant nonentitlement program, designation of rural hospitals, the community healthcare awareness and mentoring program for students, the rural physician recruitment program, the rural communities health care investment program, the rural physician relief program, the community telecommunications alliance program, the Texas Rural Foundation, the rural technology center grant program, and the Texas Rural Health and Economic Development Advisory Council.

H.B. 1493 authorizes the TDA, rather than the commissioner of agriculture, to adopt rules as necessary to implement such provisions. The bill removes the authorization of the office director to hire staff within guidelines established by the commissioner. The bill removes the requirement that the office compile an annual report describing and evaluating the condition of rural communities. The bill changes from quarterly to annually the frequency of a report to the secretary of state detailing certain projects that serve colonias for the secretary's report on state-funded projects serving colonias. The bill requires the TDA to serve as a resource, rather than requiring the office to establish a program, to provide interested rural communities with certain information regarding emergency services districts and removes provisions providing for technical assistance related to the implementation of such a district and for assistance to fire departments in rural areas with the recruitment and retention of volunteer firefighters.

H.B. 1493 transfers duties, oversight, and rulemaking authority relating to the outstanding rural scholar recognition and loan program for rural health care from the commissioner to the TDA, except for the appointment authority to the Outstanding Rural Scholar Selection Committee. The bill makes the administration of the health careers promotion and education program subject to available funding and transfers duties, oversight, and rulemaking authority relating to the program from the commissioner to the TDA. The bill requires certain program information to be reported to the office rather than the commissioner. The bill transfers from the commissioner to the TDA administration of and rulemaking authority over the medically underserved community-state matching incentive program and transfers certain program duties from the commissioner to the office.

H.B. 1493 makes the establishment of the Texas health service corps program for medically underserved areas subject to available funding and transfers the commissioner's duties and rulemaking authority relating to the program to the TDA. The bill removes the requirement in awarding funding under the community development block grant nonentitlement program that priority be given to eligible activities in the area of rural housing to support workforce development. The bill transfers from the commissioner to the TDA rulemaking authority over the establishment of a procedure for designating a hospital as a rural hospital in order for the hospital to qualify for certain federal funds.

H.B. 1493 makes the establishment of the community healthcare awareness and mentoring program for students subject to available funding and transfers duties and rulemaking authority relating to the program from the commissioner to the TDA. The bill makes the establishment of the rural physician recruitment program subject to available funding. The bill makes the loan reimbursement program and the stipend program under the rural communities health care investment program subject to available funding; authorizes, rather than requires, an awarded stipend to be paid in periodic installments; and transfers from the commissioner to the TDA duties and rulemaking authority relating to the program.

H.B. 1493 makes the creation of the rural physician relief program and the services provided by the community telecommunications alliance program subject to available funding and repeals provisions relating to a report to the legislature regarding the grant activities of and grant recipients under the community telecommunications alliance program.

H.B. 1493 clarifies that members of the board of directors of the Texas Rural Foundation are appointed by the commissioner of agriculture and revises the terms of a memorandum of understanding to clarify that the board of directors and staff of the foundation are required to report to the director of the TDA and the commissioner of agriculture. The bill transfers rulemaking authority relating to the rural technology center grant program from the executive committee to the TDA.

H.B. 1493 repeals provisions governing the office relating to public hearings, complaints, use of technology, negotiated rulemaking and alternative dispute resolution procedures, gifts and grants, an annual meeting on rural issues, a biennial report to the legislature, a rural health work plan, and certain disclosure of financial interest or employment.

H.B. 1493 abolishes the rural communities interagency work group, the rural communities health care investment program's advisory panel, and the rural physician relief program's rural physician relief advisory committee.

H.B. 1493 amends the Education Code to make a conforming change.

H.B. 1493 repeals the following provisions of the Government Code:

- Section 487.001(1)

- Section 487.027
- Section 487.030
- Section 487.031
- Section 487.032
- Section 487.053
- Section 487.054
- Section 487.0541
- Section 487.056
- Section 487.057
- Section 487.059
- Section 487.552
- Section 487.608
- Section 487.653

**EFFECTIVE DATE**

September 1, 2013.