

BILL ANALYSIS

Senate Research Center

S.B. 993
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Health & Human Services
7/22/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1965, 82nd Legislature, Regular Session, 2011, established a task force on improving relations between state government and nonprofits. The task force included representatives from a statewide nonprofit organization, local governments, faith-based groups, community-based groups, consultants to nonprofit corporations, experts in grant writing, and a statewide association of nonprofit organizations.

The task force was charged to develop and implement a plan for improving contracting relationships between state agencies and faith- and community-based organizations; develop best practices for cooperating and collaborating with faith- and community-based organizations; identify and address duplication of services provided by the state and faith- and community-based organizations; and identify and address gaps in state services that faith- and community-based organizations could fill.

The task force has achieved many of its goals and issued a report last year that was well-received. However, its authorization expires in September of 2013. S.B. 993 makes the task force permanent and renames it "The Texas Nonprofit Council."

S.B. 993 amends current law relating to the creation of the Texas Nonprofit Council to assist with faith-based and community-based initiatives.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 535.055, Government Code, as follows:

Sec. 535.055. New heading: TEXAS NONPROFIT COUNCIL. (a) Provides that the Texas Nonprofit Council (council), rather than the interagency coordinating group task force, is established to help direct the interagency coordinating group in carrying out the group's duties under this section. Requires the Health and Human Services Commission (HHSC) to provide administrative support to the council, rather than to the task force.

(b) Requires the executive commissioner of HHSC (executive commissioner), in consultation with the presiding officer of the interagency coordinating group, to appoint as members of the council two representatives, rather than appoint as members of the task force one representative, from each of the following groups and entities:

- (1) statewide nonprofit organizations, rather than a statewide nonprofit organization;
- (2) local governments;
- (3) faith-based groups;

- (4) community-based groups;
- (5) consultants to nonprofit corporations; and
- (6) statewide associations of nonprofit organizations.

Deletes existing Subdivision (7) designation and existing text including experts in grant writing in the list of groups and entities from which representatives of the council are eligible to be appointed by the executive commissioner.

(c) Requires the council, in coordination with the interagency coordination group, to accomplish certain tasks, including making recommendations, rather than developing and implementing a plan, for improving contracting relationships between state agencies and faith- and community-based organizations. Deletes existing text requiring the interagency coordinating group, in addition to the interagency coordinating group's other duties, in coordination with the task force, to accomplish certain tasks.

(c-1) Requires the council to elect a chair or chairs and secretary from among its members and assist the executive commissioner in identifying individuals to fill vacant council positions that arise.

(c-2) Provides that council members serve three-year terms. Provides that the terms expire on October 1 of every third year. Requires a council member to serve a maximum of two consecutive terms.

(d) Requires the council to prepare a biennial report detailing the council's work, including in the report any recommendations relating to legislation necessary to address an issue identified under this section. Deletes existing text requiring the task force to prepare a report describing actions taken or not taken by the interagency coordinating group under this section and include in the report any recommendations relating to legislation necessary to address an issue identified by the group under this section. Requires the council, rather than the task force, to present the report to the House Committee on Human Services, or its successor, the House Committee on Public Health or its successor, and the Senate Health and Human Services Committee or its successor not later than December 1 of each even-numbered year, rather than not later than September 1, 2012.

(e) Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the council.

(f) Provides that the council is subject to Chapter 325 (Texas Sunset Act). Provides that the council is abolished and this section expires September 1, 2019 unless continued in existence as provided by Chapter 325. Deletes existing text providing that this section expires September 1, 2013.

SECTION 2. Requires the executive commissioner, not later than October 1, 2013, and by October 1 every three years thereafter, to appoint members to the council in accordance with Section 535.055, Government Code, as amended by this Act.

SECTION 3. Effective date: upon passage or August 31, 2013.