

By: Laubenberg

H.B. No. 3184

A BILL TO BE ENTITLED

AN ACT

relating to the compilation and publication of statistics regarding certain recipients of financial assistance benefits.

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

SECTION 1. Subchapter B, Chapter 31, Human Resources Code, is amended by adding Section 31.046 to read as follows:

Sec. 31.046. COMPILATION AND PUBLICATION OF STATISTICS REGARDING CERTAIN FINANCIAL ASSISTANCE RECIPIENTS. (a) In this section, "controlled substance" and "marihuana" have the meanings assigned by Chapter 481, Health and Safety Code.

(b) The department shall compile records of any drug test conducted by any state agency to the extent that the results can lawfully be made available.

(c) To the extent possible, the department shall identify from the records compiled under Subsection (b) each individual who is receiving financial assistance benefits whose drug test indicated the presence in the individual's body of a controlled substance not prescribed for the person by a health care practitioner or marihuana.

(d) To the extent allowed by federal law, the department shall annually publish on its Internet website a report that states:

(1) the number of individuals identified under Subsection (c) during the previous year; and

1           (2) the aggregate value in dollars of the financial  
2 assistance benefits that were granted to the individuals included  
3 in the number required by Subdivision (1).

4           SECTION 2. The Health and Human Services Commission shall  
5 publish the first report required under Section 31.046(d), Human  
6 Resources Code, as added by this Act, not later than the first  
7 anniversary of the effective date of this Act.

8           SECTION 3. If before implementing any provision of this Act  
9 a state agency determines that a waiver or authorization from a  
10 federal agency is necessary for implementation of that provision,  
11 the agency affected by the provision shall request the waiver or  
12 authorization and may delay implementing that provision until the  
13 waiver or authorization is granted.

14          SECTION 4. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2013.