

By: Zaffirini

S.B. No. 49

A BILL TO BE ENTITLED

1 AN ACT
2 relating to transitional living assistance for children with
3 disabilities who reside in general residential operations.

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

5 SECTION 1. Section 531.059(a)(1), Government Code, is
6 amended to read as follows:

7 (1) "Institutional housing" means:

8 (A) an ICF-MR, as defined by Section 531.002,
9 Health and Safety Code;

10 (B) a nursing facility;

11 (C) a state hospital, state school, or state
12 center maintained and managed by the Texas Department of Mental
13 Health and Mental Retardation; ~~[or]~~

14 (D) an institution for the mentally retarded
15 licensed or operated by the Department of Family and Protective
16 ~~[and Regulatory]~~ Services; or

17 (E) a general residential operation, as defined
18 by Section 42.002, Human Resources Code.

19 SECTION 2. Section 531.059, Government Code, is amended by
20 adding Subsection (e) to read as follows:

21 (e) An individual residing in a general residential
22 operation is eligible for the program only if the individual is a
23 person with a developmental disability, as defined by Section
24 531.002, Health and Safety Code.

1 SECTION 3. If before implementing any provision of this Act
2 a state agency determines that a waiver or authorization from a
3 federal agency is necessary for implementation of that provision,
4 the agency affected by the provision shall request the waiver or
5 authorization and may delay implementing that provision until the
6 waiver or authorization is granted.

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