

BILL ANALYSIS

C.S.H.B. 659
By: Raymond
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

With the passage of recent legislation emphasizing the increased use of personal attendant care services to provide home-based and community-based care, the demand for these services is expected to increase significantly. Interested parties contend that the need to recruit, train, and retain quality personal care attendants is vital as more and more Texans requiring this care seek to live at home and in their communities. Unfortunately, the parties note, some personal care attendants already working for minimal wages often find themselves forced to cover admission or entry fees to events and venues out of pocket while on outings with clients. C.S.H.B. 659 seeks to encourage educational and recreational outings for Texans with disabilities while lessening the financial burden on personal care attendants accompanying clients.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Historical Commission in SECTION 1 of this bill and the Parks and Wildlife Commission in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 659 amends the Government Code to require the Texas Historical Commission to waive the individual entrance fees or any vehicle entrance fee to museums and other facilities under commission control for a person with a physical, mental, intellectual, or developmental disability and a paid personal attendant present to assist that person. The bill requires the commission, by rule and in consultation with the Health and Human Services Commission (HHSC), to establish eligibility requirements and procedures to implement this fee waiver.

C.S.H.B. 659 amends the Parks and Wildlife Code to require the Parks and Wildlife Department (TPWD) to waive the individual entrance fees or any vehicle entrance fee to state parks, recreational areas, and other facilities under TPWD control for a person with a physical, mental, intellectual, or developmental disability and a paid personal attendant present to assist that person. The bill requires the Parks and Wildlife Commission, by rule and in consultation with HHSC, to establish eligibility requirements and procedures to implement this fee waiver.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 659 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subtitle D, Title 4, Government Code, is amended by adding Chapter 451 to read as follows:

CHAPTER 451. FEE WAIVER FOR PERSONS WITH CERTAIN DISABILITIES

Sec. 451.001. FEES WAIVED FOR PERSONS WITH CERTAIN DISABILITIES. The appropriate state agency shall waive the entrance fee and any vehicle entrance fee to a state park, museum, or other state-operated facility for a person with an intellectual or developmental disability and a paid personal attendant present to assist that person.

No equivalent provision. (But see SECTION 1 above.)

No equivalent provision. (But see SECTION 1 above.)

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision. (But see SECTIONS 1 and 2 below.)

SECTION 1. Subchapter A, Chapter 442, Government Code, is amended by adding Section 442.030 to read as follows:

Sec. 442.030. FEES WAIVED FOR PERSONS WITH CERTAIN DISABILITIES. (a) The commission shall waive the individual entrance fees or any vehicle entrance fee to museums and other facilities under the control of the commission for a person with a physical, mental, intellectual, or developmental disability and a paid personal attendant present to assist that person.

(b) The commission, in consultation with the Health and Human Services Commission, shall by rule establish eligibility requirements and procedures to implement this section.

SECTION 2. Subchapter A, Chapter 13, Parks and Wildlife Code, is amended by adding Section 13.023 to read as follows:

Sec. 13.023. FEES WAIVED FOR PERSONS WITH CERTAIN DISABILITIES. (a) The department shall waive the individual entrance fees or any vehicle entrance fee to state parks, recreational areas, and other facilities under

the control of the department for a person with a physical, mental, intellectual, or developmental disability and a paid personal attendant present to assist that person.

(b) The commission, in consultation with the Health and Human Services Commission, shall by rule establish eligibility requirements and procedures to implement this section.

SECTION 2. This Act takes effect September 1, 2015.

SECTION 3. Same as introduced version.