

BILL ANALYSIS

C.S.H.B. 1678
By: Raymond
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 1991, the Legislature established the Governor's Committee on People with Disabilities in statute and as a trustee program within the Governor's Office to support opportunities for persons with disabilities to enjoy full and equal access to lives of independence, productivity, and self-determination. The committee aims to further opportunities and full participation of persons with disabilities by raising awareness and serving as a central source of information on issues that impact the lives of persons with disabilities.

The Governor's Committee on People with Disabilities is subject to the Sunset Act and will be abolished on September 1, 2015, unless continued by the Legislature. As a result of its review of the committee, the Sunset Commission recommended several statutory modifications that are contained in this legislation.

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

ANALYSIS

Continues the Governor's Committee on People with Disabilities for 12 years

C.S.H.B. 1678 changes the committee's Sunset review date to 2027.

Removes functions that do not align with the committee's purpose and resources

C.S.H.B. 1678 removes the requirement that the committee's biennial report include the status of the state's compliance with federal and state laws pertaining to rights and opportunities for persons with disabilities and recommendations to achieve further compliance, as well a long-range state plan for persons with disabilities and recommendations to implement that plan. The bill also removes the requirement that the committee evaluate the state's compliance with the federal Americans with Disabilities Act and other federal and state statutes relating to rights and opportunities for persons with disabilities, and updates references to federal law. The bill removes the requirement that the committee collect and evaluate data on employment of persons with disabilities by state agencies.

Requires the committee to identify, maintain, and analyze certain information

C.S.H.B. 1678 requires the committee to identify each current long-range plan relating to persons with disabilities created by a state agency, committee of a state agency, or a nonprofit organization required by federal law to produce such a plan, and to publish the link to the website address for each long-range plan, if available, on the committee's website.

C.S.H.B. 1678 requires the committee to review and analyze these long-range plans to identify gaps in state laws and services for persons with disabilities and make biennial recommendations in the committee's biennial report to address identified gaps.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1678 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. Section 115.005, Human Resources Code, is amended.

SECTION 2. Section 115.009, Human Resources Code, is amended to read as follows:

Sec. 115.009. FUNCTIONS. The committee shall:

- (1) serve as a central source of information and education on the abilities, rights, problems, and needs of persons with disabilities and, as necessary, issue reports;
- (2) provide information to and advise the governor and the governor's staff on matters relating to the full participation of persons with disabilities in all aspects of life;
- (3) before the end of each even-numbered year, submit to the governor and to the legislature a report that includes:
 - ~~[(A) the status of the state's compliance with federal and state laws pertaining to rights and opportunities for persons with disabilities and recommendations to achieve further compliance, if necessary;~~
 - ~~[(B) a long range state plan for persons with disabilities and recommendations to implement that plan; and~~
 - ~~[(C) any recommended changes in state laws relating to persons with disabilities;~~
- (4) serve as the state's liaison agency in working with the President's Committee on Employment of Persons with Disabilities and other entities involved in activities or concerns affecting persons with disabilities;

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Section 115.009, Human Resources Code, is amended to read as follows:

Sec. 115.009. FUNCTIONS. The committee shall:

- (1) serve as a central source of information and education on the abilities, rights, problems, and needs of persons with disabilities and, as necessary, issue reports;
- (2) provide information to and advise the governor and the governor's staff on matters relating to the full participation of persons with disabilities in all aspects of life;
- (3) before the end of each even-numbered year, submit to the governor and to the legislature a report that includes:
 - ~~[(A) the status of the state's compliance with federal and state laws pertaining to rights and opportunities for persons with disabilities and recommendations to achieve further compliance, if necessary;~~
 - ~~[(B) a long range state plan for persons with disabilities and recommendations to implement that plan; and~~
 - ~~[(C) any recommended changes in state laws relating to persons with disabilities;~~
- (4) serve as the state's liaison agency in working with the Office of Disability ~~[President's Committee on]~~ Employment Policy ~~[of Persons with Disabilities]~~ and other entities involved in activities or

- (5) develop and work with a statewide network of volunteer community-level committees to promote dissemination of information about and implementation of federal and state laws addressing rights and opportunities for persons with disabilities;
- (6) ~~[evaluate the state's compliance with the federal Americans with Disabilities Act of 1990 (Pub. L. No. 101-336) and other federal and state statutes relating to rights and opportunities for persons with disabilities;~~
- ~~[(7)]~~ provide information and technical assistance to public and private agencies and businesses to promote and facilitate implementation of the ~~[federal]~~ Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.)~~[(Pub. L. No. 101-336)]~~ and other federal and state statutes relating to rights and opportunities of persons with disabilities;
- ~~(7)(8)~~ ~~collect and evaluate data on employment of persons with disabilities by state agencies;~~
- ~~[(9)]~~ work with legislative committees and with state agencies on the development of laws and policies that affect persons with disabilities;
- ~~(8)~~ ~~[(10)]~~ promote the compilation and publication of state laws relating to persons with disabilities; ~~[and]~~
- ~~(9)~~ ~~[(11)]~~ issue awards and other forms of recognition to persons and organizations making outstanding contributions to the employment of persons with disabilities and to public awareness of issues impacting persons with disabilities;
- (10) identify each current long-range plan relating to persons with disabilities created by a state agency or a committee of a state agency and publish the link to the Internet website address for each long-range plan, if available, on the Internet website of the Governor's Committee on People with Disabilities; and
- (11) review and analyze the long-range plans described by Subdivision (10) to identify gaps in state laws and services for persons with disabilities and make biennial recommendations in the committee's report required under Subdivision (3) to address identified gaps.

- concerns affecting persons with disabilities;
- (5) develop and work with a statewide network of volunteer community-level committees to promote dissemination of information about and implementation of federal and state laws addressing rights and opportunities for persons with disabilities;
- (6) ~~[evaluate the state's compliance with the federal Americans with Disabilities Act of 1990 (Pub. L. No. 101-336) and other federal and state statutes relating to rights and opportunities for persons with disabilities;~~
- ~~[(7)]~~ provide information and technical assistance to public and private agencies and businesses to promote and facilitate implementation of the ~~[federal]~~ Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.)~~[(Pub. L. No. 101-336)]~~ and other federal and state statutes relating to rights and opportunities of persons with disabilities;
- ~~(7)~~ ~~[(8)]~~ ~~collect and evaluate data on employment of persons with disabilities by state agencies;~~
- ~~[(9)]~~ work with legislative committees and with state agencies on the development of laws and policies that affect persons with disabilities;
- ~~(8)~~ ~~[(10)]~~ promote the compilation and publication of state laws relating to persons with disabilities; ~~[and]~~
- ~~(9)~~ ~~[(11)]~~ issue awards and other forms of recognition to persons and organizations making outstanding contributions to the employment of persons with disabilities and to public awareness of issues impacting persons with disabilities;
- (10) identify each current long-range plan relating to persons with disabilities in this state created by a state agency, a committee of a state agency, or a nonprofit organization required by federal law to produce such a plan, and publish the link to the Internet website address for each long-range plan, if available, on the Internet website of the Governor's Committee on People with Disabilities; and
- (11) review and analyze the long-range plans described by Subdivision (10) to identify gaps in state laws and services for persons with disabilities and make biennial recommendations in the committee's report required under Subdivision (3) to address identified gaps.

SECTION 3. This Act takes effect
September 1, 2015.

SECTION 3. Same as introduced version.