

1-1 By: Lucio S.B. No. 1585
 1-2 (In the Senate - Filed March 12, 2015; March 23, 2015, read
 1-3 first time and referred to Committee on Business and Commerce;
 1-4 April 29, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 29, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1585 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to a study on the feasibility of establishing a prepaid
 1-22 investment plan or other product to help citizens of this state
 1-23 finance and access residential care.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. (a) In this section:

1-26 (1) "Commission" means the Health and Human Services
 1-27 Commission.

1-28 (2) "Executive commissioner" means the executive
 1-29 commissioner of the Health and Human Services Commission.

1-30 (3) "Residential care" means long-term services and
 1-31 supports provided in the least restrictive care setting, including
 1-32 a home or community-based setting, to persons who are elderly or
 1-33 have disabilities.

1-34 (b) The executive commissioner in cooperation with the
 1-35 comptroller of public accounts and the commissioner of aging and
 1-36 disability services shall conduct a study on the feasibility of
 1-37 developing a program that is:

1-38 (1) modeled after the prepaid higher education tuition
 1-39 program established under Subchapter F, Chapter 54, Education Code;

1-40 (2) administered by the state; and

1-41 (3) designed to provide a mechanism through which
 1-42 citizens of this state may invest in a prepaid investment plan or
 1-43 other product meant to supplement long-term care insurance by
 1-44 providing participants additional financial support to cover the
 1-45 cost of residential care.

1-46 (c) In conducting the study under Subsection (b) of this
 1-47 section, the executive commissioner shall:

1-48 (1) evaluate existing systems and programs for
 1-49 providing residential care in this state;

1-50 (2) evaluate the economic circumstances of the elderly
 1-51 and low-income populations and persons with disabilities in this
 1-52 state who are in need of residential care;

1-53 (3) consider alternative systems and programs for
 1-54 providing and financing residential care that will increase the
 1-55 affordability, sustainability, desirability, quality, and
 1-56 cost-effectiveness of residential care in this state, taking into
 1-57 consideration model systems and programs used in other states;

1-58 (4) consult with interested stakeholders as well as
 1-59 other appropriate state and federal agencies;

1-60 (5) consider ways to encourage participation,

2-1 coordination, and involvement of the federal government and private
2-2 sector; and

2-3 (6) consider the possibility of developing a
2-4 tax-advantaged investment plan under which either contributions to
2-5 the plan are tax-deductible for federal income tax purposes or
2-6 distributions of earnings from the plan are not subject to federal
2-7 income tax.

2-8 (d) Not later than November 1, 2016, the executive
2-9 commissioner shall submit a written report containing the findings
2-10 of the study conducted under Subsection (b) of this section
2-11 together with the executive commissioner's recommendations to the
2-12 governor and the legislature. The recommendations must include
2-13 proposals for alternative systems described by Subsection (c)(3) of
2-14 this section that are developed based on the findings of the study.

2-15 (e) This section expires September 1, 2017.

2-16 SECTION 2. This Act takes effect immediately if it receives
2-17 a vote of two-thirds of all the members elected to each house, as
2-18 provided by Section 39, Article III, Texas Constitution. If this
2-19 Act does not receive the vote necessary for immediate effect, this
2-20 Act takes effect September 1, 2015.

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