By:  Walle H.B. No. 2091

A BILL TO BE ENTITLED

AN ACT

relating to the Harris County Board of Resources for Children and Adults.

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

SECTION 1.  Section 152.1073, Human Resources Code, is amended to read as follows:

Sec. 152.1073.  HARRIS COUNTY BOARD OF RESOURCES [~~PROTECTIVE SERVICES~~] FOR CHILDREN AND ADULTS. (a) In this section:

(1)  "Board" means the Harris County Board of Resources [~~Protective Services~~] for Children and Adults.

(2)  "Director" means the highest administrative officer who is responsible to the board.

(3)  "Institution" means an institution for the care and protection of children who have been abandoned or abused, or are for any other reason in need of protective services. The term does not include a detention facility for delinquent children or children in need of supervision or a facility primarily for children with severe psychological or other medical conditions.

(b)  The board has the powers and duties of a child welfare board created under Section 264.005, Family Code.

(c)  The board may, with the approval of the commissioners court, assume jurisdiction, management, and control over a county owned institution. If the board assumes control and management of an institution, the board shall perform the functions in relation to the institutions that the juvenile board and chief probation officer of Harris County formerly performed.

(d)  The board may designate the director or a specially designated assistant as the director of one or more institutions.

(e)  The board may hire and remove institution employees. The board shall establish a general personnel policy for institution employees and shall pay the salaries and expenses of the employees from funds supplied by the commissioners court under the annual budget or supplemental budget approved by the commissioners court or from funds supplied by the state or other sources.

(f)  The board shall prepare an annual budget for the institutions and submit the budget to the commissioners court for final approval as prescribed by law for other county agencies and departments. The board shall also make an annual report to the commissioners court on the operations and efficiency of the institutions.

(g)  In addition to the authority granted to the board by the commissioners court and the Texas Department of Human Services, the board may:

(1)  disburse funds from sources other than the commissioners court and the Texas Department of Human Services to benefit children, eligible disabled adults, and eligible elderly adults under this section and to provide care, protection, evaluation, training, treatment, education, and recreation to those children;

(2)  refuse to accept any funds the board considers to be inappropriate, incompatible, or burdensome to board policies or the provision of services;

(3)  accept a gift or grant of real or personal property or accept support under or an interest in a trust to benefit children and eligible disabled or elderly adults under this section and hold the gift or grant directly or in trust;

(4)  use a gift or grant to benefit children or eligible disabled or elderly adults under this section and to provide care, protection, education, or training to those children and eligible disabled or elderly adults;

(5)  accept and disburse as provided by Subdivision (1) fees and contributions from parents, guardians, and relatives of children and eligible disabled or elderly adults who are:

(A)  in county supported substitute care or custody, in the county Guardianship Program, or receiving services from the county Senior Justice Assessment Center, or in the county representative payee program; or

(B)  being assisted by casework, day care, or homemaker services, by medical, psychological, dental, or other remedial help, or by teaching, training, or other services;

(6)  account for and spend funds the board receives as fees, contributions, payments made by guardians, or payments made to benefit a child or eligible disabled or elderly adults in the board's or the county's legal custody;

(7)  receive and disburse funds available to support or benefit a child or eligible elderly adult in the board's or the county's legal custody, including social security benefits, life insurance proceeds, survivors' pension or annuity benefits, or a beneficial interest in property; and

(8)  receive and use funds, grants, and assistance available to the board or the county from a federal or state department or agency to carry out the functions and programs of the department or agency that is designed to aid or extend programs and operations approved by the board.

(h)  The board shall designate the director or an assistant to apply for letters of guardianship if necessary to receive funds under Subsection (g)(7). The director or an assistant may:

(1)  apply for and disburse the funds to provide special items of support for children or eligible disabled or elderly adults under this section or to pay general administrative expenses relating to services under this section;

(2)  hold the funds in trust; or

(3)  apply the funds for a particular or more restricted purpose as required by law or the source of the funds.

(i)  The board may also work with state agencies and commissioners court to provide services for eligible disabled adults, and eligible elderly residents of the county, who have been exploited, abused, or neglected, or who may be in need of a guardianship, or assistance from a representative payee.

(j) [~~(i)~~]  The board may delegate to the director or an assistant any function or duty authorized or prescribed by this section. If the board delegates the duty to prepare the annual budget and report, the board must approve the budget and report before they are submitted to the commissioners court. The board may periodically review any delegation.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.