

By: Walle

H.B. No. 2091

A BILL TO BE ENTITLED

AN ACT

relating to the redesignation and authority of the Harris County Board of Protective Services for Children and Adults.

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

SECTION 1. The heading to 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.

SECTION 2. Section 152.1073(a)(1), Human Resources Code, is amended to read as follows:

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

SECTION 3. Section 152.1073, Human Resources Code, is amended by amending Subsections (g) and (h) and adding Subsection (h-1) to read as follows:

(g) In addition to the authority granted to the board by the commissioners court, the Health and Human Services Commission, and the [~~Texas~~] Department of Family and Protective [~~Human~~] Services, the board may:

(1) disburse funds from sources other than the commissioners court, the commission, and the department [~~Texas Department of Human Services~~] to benefit children, eligible adults with disabilities, and eligible elderly persons under this section and to provide care, protection, evaluation, training, treatment,

1 education, and recreation to those persons [~~children~~];

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

5 (3) accept a gift or grant of real or personal property
6 or accept support under or an interest in a trust to benefit persons
7 described by Subdivision (1) [~~children under this section~~] and hold
8 the gift or grant directly or in trust;

9 (4) use a gift or grant to benefit persons described by
10 Subdivision (1) [~~children under this section~~] and to provide care,
11 protection, education, or training to those persons [~~children~~];

12 (5) accept and disburse as provided by Subdivision (1)
13 fees and contributions from parents, guardians, and relatives of
14 persons described by that subdivision [~~children~~] who are:

15 (A) in county supported substitute care or
16 custody, in the county guardianship program, in the county
17 representative payee program, or receiving services from the county
18 Senior Justice Assessment Center; or

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

22 (6) account for and spend funds the board receives as
23 fees, contributions, payments made by guardians, or payments made
24 to benefit a person described by Subdivision (1) who is [~~child~~] in
25 the board's or the county's legal custody;

26 (7) receive and disburse funds available to support or
27 benefit a person described by Subdivision (1) who is [~~child~~] in the

1 board's or the county's legal custody, including social security
2 benefits, life insurance proceeds, survivors' pension or annuity
3 benefits, or a beneficial interest in property; and

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

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

12 (1) apply for and disburse the funds to provide
13 special items of support for children, eligible adults with
14 disabilities, and eligible elderly persons under this section or to
15 pay general administrative expenses relating to services under this
16 section;

17 (2) hold the funds in trust; or

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

20 (h-1) The board may collaborate with state agencies to
21 provide services for eligible adults with disabilities and eligible
22 elderly persons who:

23 (1) are residents of the county;

24 (2) have been exploited, abused, or neglected; or

25 (3) may be in need of a guardianship or assistance from
26 a representative payee.

27 SECTION 4. On the effective date of this Act, the Harris

1 County Board of Protective Services for Children and Adults is
2 redesignated as the Harris County Board of Resources for Children
3 and Adults.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2021.