

By: Walle

H.B. No. 2091

Substitute the following for H.B. No. 2091:

By: Cason

C.S.H.B. No. 2091

A BILL TO BE ENTITLED

1 AN ACT

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

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

5 SECTION 1. The heading to Section [152.1073](#), Human Resources  
6 Code, is amended to read as follows:

7 Sec. 152.1073. HARRIS COUNTY BOARD OF RESOURCES [~~PROTECTIVE~~  
8 ~~SERVICES~~] FOR CHILDREN AND ADULTS.

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

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

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

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

20 (1) disburse funds from sources other than the  
21 commissioners court, the commission, and the department [~~Texas~~  
22 ~~Department of Human Services~~] to benefit children, eligible adults  
23 with disabilities, and eligible elderly persons under this section  
24 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.