

By: Walle

H.B. No. 2091

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Harris County Board of Resources for Children and
3 Adults.

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

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

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

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

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

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

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

21 (c) The board may, with the approval of the commissioners
22 court, assume jurisdiction, management, and control over a county
23 owned institution. If the board assumes control and management of
24 an institution, the board shall perform the functions in relation

1 to the institutions that the juvenile board and chief probation
2 officer of Harris County formerly performed.

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

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

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

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

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

26 (2) refuse to accept any funds the board considers to
27 be inappropriate, incompatible, or burdensome to board policies or

1 the provision of services;

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

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

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

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

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

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

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

1 beneficial interest in property; and

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

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

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

14 (2) hold the funds in trust; or

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

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

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

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