

BILL ANALYSIS

H.B. 4130
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Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a single source continuum contractor (SSCC) under contract with the Department of Family and Protective Services (DFPS) to provide community-based care must give DFPS 60 days' notice to prematurely end the contract. Current law additionally allows DFPS to contract with a different contractor to serve as the intermediary for the terminated contract while procurement occurs. However, the bill author has informed the committee that this procurement process may be lengthy and that DFPS may not serve as the purchasing authority to enter into an intermediary direct contract to support children while a new contract is procured without explicit statutory authority. H.B. 4130 seeks to address these issues by providing for an extended notice period of early termination and by explicitly authorizing DFPS to enter into a contract with a different SSCC when notice of an early contract termination is provided to the other party.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4130 amends the Family Code to change the deadlines relating to the termination of a contract between the Department of Family and Protective Services (DFPS) and a single source continuum contractor for child welfare services under provisions relating to community-based care as follows:

- change the deadline by which a single source continuum contractor is required to provide notice to DFPS of the contractor's intent to terminate the contract in order for the termination to be authorized from not later than the 60th day before the date of termination to not later than the 180th day before that date; and
- change the deadline by which DFPS is required to provide notice to such a contractor of its intent to terminate the contract in order for the termination to be authorized from not later than the 30th day before the date of termination to not later than the 180th day before that date.

H.B. 4130 includes DFPS's provision of notice to a single source continuum contractor of its intent to terminate a contract as a circumstance under which DFPS is authorized to enter into a contract with a different contractor for the sole purpose of assuming the contract that is being terminated and authorizes DFPS to enter into a contract with a different single source continuum contractor for that purpose without following competitive bidding, advertising, or proposal

evaluation requirements, including requirements under applicable Government Code provisions relating to general state purchasing rules and procedures and Human Resources Code provisions relating to DFPS contracts and agreements.

H.B. 4130 applies only to a contract entered into or amended, modified, renewed, or extended on after the bill's effective date. A contract entered into or amended, modified, renewed, or extended before the bill's effective date is governed by the law in effect on the date the contract was entered into or amended, modified, renewed, or extended, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.