

By: Naishtat, Herrero, et al.

H.B. No. 610

Substitute the following for H.B. No. 610:

By: Naishtat

C.S.H.B. No. 610

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Legislative Committee on Aging and other initiatives relating to the aging population of this state.

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

SECTION 1. Chapter 161, Human Resources Code, is amended by adding Subchapters G and H to read as follows:

SUBCHAPTER G. LEGISLATIVE COMMITTEE ON AGING

Sec. 161.251. DEFINITIONS. In this subchapter:

(1) "Committee" means the Legislative Committee on Aging.

(2) "Health and human services agency" has the meaning assigned by Section 531.001, Government Code.

Sec. 161.252. LEGISLATIVE COMMITTEE ON AGING ESTABLISHED.

The Legislative Committee on Aging is established to:

(1) study issues relating to the aging population of Texas, including issues related to the health care, income, transportation, housing, education, and employment needs of that population; and

(2) make recommendations to address those issues.

Sec. 161.253. COMPOSITION OF COMMITTEE; PRESIDING OFFICER.

(a) The committee is composed of:

(1) two members of the senate and one public member appointed by the lieutenant governor; and

1 (2) two members of the house of representatives and
2 one public member appointed by the speaker of the house of
3 representatives.

4 (b) A member of the committee serves at the pleasure of the
5 appointing official.

6 (c) The lieutenant governor and the speaker of the house of
7 representatives shall appoint the presiding officer of the
8 committee on an alternating basis. The presiding officer shall
9 serve a two-year term expiring February 1 of each odd-numbered
10 year.

11 Sec. 161.254. COMMITTEE POWERS AND DUTIES. (a) The
12 committee shall:

13 (1) meet at the call of the presiding officer;

14 (2) conduct a continuing study of issues relating to
15 the aging population;

16 (3) analyze the availability of, and unmet needs for,
17 state and local services for the aging population; and

18 (4) request reports and other information relating to
19 the aging population as necessary from the executive commissioner,
20 the department, other health and human services agencies, the
21 attorney general, and any other state agency.

22 (b) The executive commissioner, the department, other
23 health and human services agencies, the attorney general, and any
24 other applicable state agency shall fully cooperate with the
25 committee in performing the committee's duties under this
26 subchapter.

27 (c) The committee may issue process, in accordance with

1 Section 301.024, Government Code, to compel attendance of witnesses
2 and the production of books, records, documents, and instruments
3 required by the committee.

4 (d) The committee shall use the existing staff resources of
5 the senate and the house of representatives to assist the committee
6 in performing its duties under this section.

7 Sec. 161.255. REPORT. (a) The committee shall report to
8 the standing committees of the senate and house of representatives
9 having jurisdiction of issues related to the needs of the aging
10 population not later than November 15 of each even-numbered year.

11 (b) The report must include:

12 (1) a summary of the hearings and studies conducted by
13 the committee during the preceding year;

14 (2) a statement of findings based on the hearings and
15 studies conducted by the committee; and

16 (3) recommendations for legislation.

17 SUBCHAPTER H. CERTAIN INITIATIVES RELATING TO AGING

18 Sec. 161.301. DEFINITION. In this subchapter, "fund" means
19 the Chris Kyker Endowment for Seniors Fund established under this
20 subchapter.

21 Sec. 161.302. CONTRACT TO PROVIDE OUTREACH AND INPUT
22 RELATING TO AGING POPULATION. (a) The executive commissioner may
23 contract with an entity to:

24 (1) conduct local forums throughout this state to
25 solicit input on and discuss policies regarding aging-related
26 issues;

27 (2) provide analysis, education, and research

1 services with respect to aging-related issues; and

2 (3) identify problems encountered by the aging
3 population in this state and develop and recommend to the executive
4 commissioner and the legislature solutions to those problems.

5 (b) To be eligible for a contract under this section, an
6 entity must:

7 (1) be a statewide organization that:

8 (A) is a Texas nonprofit organization, as that
9 term is defined by Section 161.075; and

10 (B) represents people who are 60 years of age or
11 older; and

12 (2) have experience and a proven history of conducting
13 local forums of the kind required by Subsection (a)(1) and
14 recommending solutions to problems encountered by the aging
15 population of this state.

16 (c) A contract entered into under this section may include a
17 provision that allows a person performing duties under the contract
18 on behalf of the entity to receive a per diem for days spent
19 performing those duties and reimbursement for the reasonable travel
20 expenses incurred in performing those duties at the same rate set in
21 the General Appropriations Act for state employees.

22 Sec. 161.303. ESTABLISHMENT AND ADMINISTRATION OF FUND.

23 (a) The Chris Kyker Endowment for Seniors Fund is established as a
24 special fund in the treasury outside the general revenue fund.

25 (b) The fund consists of:

26 (1) money transferred to the fund at the direction of
27 the legislature;

1 (2) grants, gifts, and donations from any other public
2 or private source contributed to the fund; and

3 (3) income and interest earned on money in the fund,
4 including depository interest.

5 (c) The comptroller shall administer and invest the fund.

6 (d) The fund is exempt from the application of Sections
7 403.095 and 404.071, Government Code.

8 Sec. 161.304. USE OF FUND. (a) The following may be
9 appropriated only to fund a contract entered into under Section
10 161.302:

11 (1) contributions to the fund described by Section
12 161.303(b)(2); and

13 (2) income and interest earned on money in the fund
14 described by Section 161.303(b)(3).

15 (b) Except as provided by Subsection (a), money in the fund
16 may not be appropriated for any purpose.

17 (c) The executive commissioner may adopt rules regarding
18 distribution of funding appropriated in accordance with this
19 section.

20 SECTION 2. The lieutenant governor and the speaker of the
21 house of representatives shall appoint members of the Legislative
22 Committee on Aging, as established by this Act, not later than the
23 30th day after the effective date of this Act.

24 SECTION 3. This Act takes effect September 1, 2009.