

1-1 By: Naishtat, et al. (Senate Sponsor - Van de Putte) H.B. No. 610  
1-2 (In the Senate - Received from the House May 1, 2009;  
1-3 May 12, 2009, read first time and referred to Committee on  
1-4 Administration; May 20, 2009, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the establishment of the Legislative Committee on Aging  
1-9 and other initiatives relating to the aging population of this  
1-10 state.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 161, Human Resources Code, is amended by  
1-13 adding Subchapters G and H to read as follows:

1-14 SUBCHAPTER G. LEGISLATIVE COMMITTEE ON AGING

1-15 Sec. 161.251. DEFINITIONS. In this subchapter:

1-16 (1) "Committee" means the Legislative Committee on  
1-17 Aging.

1-18 (2) "Health and human services agency" has the meaning  
1-19 assigned by Section 531.001, Government Code.

1-20 Sec. 161.252. LEGISLATIVE COMMITTEE ON AGING ESTABLISHED.

1-21 The Legislative Committee on Aging is established to:

1-22 (1) study issues relating to the aging population of  
1-23 Texas, including issues related to the health care, income,  
1-24 transportation, housing, education, and employment needs of that  
1-25 population; and

1-26 (2) make recommendations to address those issues.

1-27 Sec. 161.253. COMPOSITION OF COMMITTEE; PRESIDING OFFICER.

1-28 (a) The committee is composed of:

1-29 (1) two members of the senate appointed by the  
1-30 lieutenant governor;

1-31 (2) two members of the house of representatives  
1-32 appointed by the speaker of the house of representatives; and

1-33 (3) two public members appointed by the governor.

1-34 (b) A member of the committee serves at the pleasure of the  
1-35 appointing official.

1-36 (c) The lieutenant governor and the speaker of the house of  
1-37 representatives shall appoint the presiding officer of the  
1-38 committee on an alternating basis. The presiding officer shall  
1-39 serve a two-year term expiring February 1 of each odd-numbered  
1-40 year.

1-41 Sec. 161.254. COMMITTEE POWERS AND DUTIES. (a) The  
1-42 committee shall:

1-43 (1) meet at least biannually at the call of the  
1-44 presiding officer;

1-45 (2) conduct a continuing study of issues relating to  
1-46 the aging population, including issues that are affected by the  
1-47 demographic and geographic diversity of the aging population in  
1-48 this state;

1-49 (3) analyze the availability of, and unmet needs for,  
1-50 state and local services for the aging population; and

1-51 (4) request reports and other information relating to  
1-52 the aging population as necessary from the executive commissioner,  
1-53 the department, other health and human services agencies, the  
1-54 attorney general, and any other state agency.

1-55 (b) The executive commissioner, the department, other  
1-56 health and human services agencies, the attorney general, and any  
1-57 other applicable state agency shall fully cooperate with the  
1-58 committee in performing the committee's duties under this  
1-59 subchapter.

1-60 (c) The committee may issue process, in accordance with  
1-61 Section 301.024, Government Code, to compel attendance of witnesses  
1-62 and the production of books, records, documents, and instruments  
1-63 required by the committee.

1-64 (d) The committee shall use the existing staff resources of

2-1 the senate and the house of representatives to assist the committee  
 2-2 in performing its duties under this section.

2-3 Sec. 161.255. REPORT. (a) The committee shall report to  
 2-4 the standing committees of the senate and the house of  
 2-5 representatives having jurisdiction of issues related to the needs  
 2-6 of the aging population not later than November 15 of each  
 2-7 even-numbered year.

2-8 (b) The report must include:

2-9 (1) a summary of the hearings and studies conducted by  
 2-10 the committee during the preceding year;

2-11 (2) a statement of findings based on the hearings and  
 2-12 studies conducted by the committee; and

2-13 (3) recommendations, if any, for legislation.

2-14 SUBCHAPTER H. CERTAIN INITIATIVES RELATING TO AGING

2-15 Sec. 161.301. DEFINITION. In this subchapter, "fund" means  
 2-16 the Chris Kyker Endowment for Seniors Fund established under this  
 2-17 subchapter.

2-18 Sec. 161.302. CONTRACT TO PROVIDE OUTREACH AND INPUT  
 2-19 RELATING TO AGING POPULATION. (a) The executive commissioner may  
 2-20 contract with an entity to:

2-21 (1) conduct local forums throughout this state to  
 2-22 solicit input on and discuss policies regarding aging-related  
 2-23 issues, including issues that are affected by the demographic and  
 2-24 geographic diversity of the aging population in this state;

2-25 (2) provide analysis, education, and research  
 2-26 services with respect to aging-related issues; and

2-27 (3) identify problems encountered by the aging  
 2-28 population in this state and develop and recommend to the executive  
 2-29 commissioner and the legislature solutions to those problems.

2-30 (b) If a contract entered into under this section includes a  
 2-31 provision that allows a person performing duties under the contract  
 2-32 on behalf of the entity to receive a per diem for days spent  
 2-33 performing those duties and to be reimbursed for travel expenses  
 2-34 incurred in performing those duties, the per diem and reimbursement  
 2-35 for travel expenses incurred must be paid at the same rate set in  
 2-36 the General Appropriations Act for state employees.

2-37 Sec. 161.303. ESTABLISHMENT AND ADMINISTRATION OF FUND.  
 2-38 (a) The Chris Kyker Endowment for Seniors Fund is a special fund  
 2-39 outside the state treasury held by the comptroller.

2-40 (b) The comptroller shall deposit in the fund:

2-41 (1) money appropriated to the fund;

2-42 (2) grants, gifts, and donations from any other public  
 2-43 or private source; and

2-44 (3) income and interest, including depository  
 2-45 interest, as provided by Subsection (f).

2-46 (c) The comptroller shall administer and manage the assets  
 2-47 of the fund in accordance with this section and the rules adopted by  
 2-48 the executive commissioner under Section 161.304(c). In managing  
 2-49 the assets of the fund, the comptroller may acquire, exchange,  
 2-50 sell, supervise, manage, or retain, through procedures and subject  
 2-51 to restrictions the comptroller considers appropriate, any kind of  
 2-52 investment that a prudent investor, exercising reasonable care,  
 2-53 skill, and caution, would acquire or retain in light of the  
 2-54 purposes, terms, distribution requirements, and other  
 2-55 circumstances of the fund then prevailing, taking into  
 2-56 consideration the investment of all the assets of the fund rather  
 2-57 than a single investment.

2-58 (d) The expenses of managing fund investments shall be paid  
 2-59 from the fund.

2-60 (e) On request, the comptroller shall fully disclose all  
 2-61 details concerning the investments of the fund.

2-62 (f) Interest earned on the fund shall be credited to the  
 2-63 fund.

2-64 Sec. 161.304. USE OF FUND. (a) The following may be used  
 2-65 only to fund a contract entered into under Section 161.302:

2-66 (1) contributions to the fund described by Section  
 2-67 161.303(b)(2); and

2-68 (2) income and interest earned on money in the fund  
 2-69 described by Section 161.303(b)(3).

