

By: Van de Putte, Nelson

S.B. No. 1230

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 appointed by the lieutenant governor;

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

3 (3) two public members appointed by the governor.

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 least biannually at the call of the
14 presiding officer;

15 (2) conduct a continuing study of issues relating to
16 the aging population, including issues that are affected by the
17 demographic and geographic diversity of the aging population in
18 this state;

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

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

25 (b) The executive commissioner, the department, other
26 health and human services agencies, the attorney general, and any
27 other applicable state agency shall fully cooperate with the

1 committee in performing the committee's duties under this
2 subchapter.

3 (c) The committee may issue process, in accordance with
4 Section 301.024, Government Code, to compel attendance of witnesses
5 and the production of books, records, documents, and instruments
6 required by the committee.

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

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

15 (b) The report must include:

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

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

20 (3) recommendations for legislation.

21 SUBCHAPTER H. CERTAIN INITIATIVES RELATING TO AGING

22 Sec. 161.301. DEFINITION. In this subchapter, "fund" means
23 the Chris Kyker Endowment for Seniors Fund established under this
24 subchapter.

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

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

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

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

10 (b) If a contract entered into under this section includes a
11 provision that allows a person performing duties under the contract
12 on behalf of the entity to receive a per diem for days spent
13 performing those duties and to be reimbursed for travel expenses
14 incurred in performing those duties, the per diem and reimbursement
15 for travel expenses incurred must be paid at the same rate set in
16 the General Appropriations Act for state employees.

17 Sec. 161.303. ESTABLISHMENT AND ADMINISTRATION OF FUND.

18 (a) The Chris Kyker Endowment for Seniors Fund is a special fund
19 outside the state treasury held by the comptroller.

20 (b) The comptroller shall deposit in the fund:

21 (1) money appropriated to the fund;

22 (2) grants, gifts, and donations from any other public
23 or private source; and

24 (3) income and interest, including depository
25 interest, as provided by Subsection (f).

26 (c) The comptroller shall administer and manage the assets
27 of the fund in accordance with this section and the rules adopted by

1 the executive commissioner under Section 161.304(c). In managing
2 the assets of the fund, the comptroller may acquire, exchange,
3 sell, supervise, manage, or retain, through procedures and subject
4 to restrictions the comptroller considers appropriate, any kind of
5 investment that a prudent investor, exercising reasonable care,
6 skill, and caution, would acquire or retain in light of the
7 purposes, terms, distribution requirements, and other
8 circumstances of the fund then prevailing, taking into
9 consideration the investment of all the assets of the fund rather
10 than a single investment.

11 (d) The expenses of managing fund investments shall be paid
12 from the fund.

13 (e) On request, the comptroller shall fully disclose all
14 details concerning the investments of the fund.

15 (f) Interest earned on the fund shall be credited to the
16 fund.

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

19 (1) contributions to the fund described by Section
20 161.303(b)(2); and

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

23 (b) Except as provided by Subsection (a), money in the fund
24 may not be used for any purpose.

25 (c) The executive commissioner may adopt rules regarding
26 distribution of money in the fund in accordance with this section.

27 SECTION 2. (a) Not later than the 30th day after the

1 effective date of this Act:

2 (1) the governor, lieutenant governor, and speaker of
3 the house of representatives shall appoint members of the
4 Legislative Committee on Aging, as established by Section 161.252,
5 Human Resources Code, as added by this Act; and

6 (2) the lieutenant governor shall appoint the initial
7 presiding officer under Subsection (c), Section 161.253, Human
8 Resources Code, as added by this Act.

9 (b) The Legislative Committee on Aging established by
10 Section 161.252, Human Resources Code, as added by this Act, shall
11 convene its initial meeting not later than November 1, 2009.

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