

BILL ANALYSIS

S.B. 1743
By: Zaffirini
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to interested parties, recent legislation that had originally slated the Office for the Prevention of Developmental Disabilities for abolishment was amended to allow time for the development of an alternative to abolishment. S.B. 1743 seeks to provide that alternative by transferring the office to The University of Texas at Austin as a program and renaming the office as the Office for Healthy Children.

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

S.B. 1743 abolishes the Office for the Prevention of Developmental Disabilities as an independent office administratively attached to the Health and Human Services Commission (HHSC), transfers the office to The University of Texas at Austin as a program, and renames the office as the Office for Healthy Children. The bill abolishes the executive committee and board of advisors of the Office for the Prevention of Developmental Disabilities and the position of executive director of the office, but authorizes the president of The University of Texas at Austin or the president's designee to hire the person serving as the executive director immediately before the bill's effective date for a position in the Office for Healthy Children.

S.B. 1743 establishes that an employee of the Office for the Prevention of Developmental Disabilities becomes an employee of the university and that all property, including records, in the office's custody becomes the university's property. The bill transfers the following to the university: all money, including gifts, donations, and grants of money, contracts, leases, rights, and obligations of the office; all funds appropriated by the legislature to the office; and all functions and activities performed by the office. The bill establishes that the validity of an action taken by the office or the office's executive committee or board of advisors before the bill's effective date is not affected by the abolishment of the office; that a rule, form, policy, procedure, or decision of the office or HHSC that is related to the office is continued in effect as a rule, form, policy, procedure, or decision of the university system until superseded by a rule, form, policy, procedure, or decision of the system; and that any action or proceeding pending before the office on the bill's effective date becomes an action or proceeding before the university.

S.B. 1743 transfers Human Resources Code provisions relating to the Office for the Prevention

of Developmental Disabilities to the Education Code and amends the Education Code to specify that the Office for Healthy Children is established under and administered by the university; to remove statutory provisions relating to the Office for the Prevention of Developmental Disabilities' administrative attachment to HHSC and elements of the office's duties pertaining to divisions within HHSC and pertaining to the monitoring and assessment of those divisions and state agencies with regard to preventing developmental disabilities; and to transfer certain duties and responsibilities from the office's executive committee to the president of the university or the president's designee and to the director hired by the president or the president's designee. The bill specifies that funds in the form of gifts, donations, and grants of money from public and private sources to assist in financing the duties and functions of the Office for Healthy Children are administered by the university and requires the university to maintain a separate accounting of such raised funds.

S.B. 1743 amends the Government Code and the Penal Code to make conforming changes.

S.B. 1743 repeals the heading to Subchapter C, Chapter 112, Human Resources Code, and the following provisions of the Human Resources Code:

- Sec. 112.0421
- Sec. 112.0431
- Sec. 112.045
- Sec. 112.0451
- Sec. 112.0452
- Sec. 112.0453
- Sec. 112.0454
- Sec. 112.046

EFFECTIVE DATE

August 31, 2017.