

# **Highlighted County-Related Interim Charges**

## **Texas House of Representatives**

### **82<sup>nd</sup> Legislature**

**Commentary provided by the TAC Legislative Department**

#### **County Development Authority**

**Charge:**

**Study county-related issues arising from population growth in unincorporated areas with regard to existing and new developments and the provision of services, including garbage disposal, fire protection, road maintenance, electricity, and water and wastewater service. Make necessary legislative recommendations for improving problems in these areas of the state. (House Committee on County Affairs)**

**Commentary:**

This charge is another opportunity for counties to expand local control by reviewing various tools that could be available for expanding county authority.

#### **County Structure**

**Charge:**

**Study opportunities for cost savings through the abolishment of certain elected offices or the consolidation of county services. (House Committee on County Affairs)**

**Commentary:**

This interim charge will assess the structure of county government.

#### **Elections**

**Charge:**

**Monitor the implementation and the impact of the MOVE Act on the state and on municipalities. Make legislative recommendations as needed, to ensure a smooth implementation of the law. (House Committee on Elections, Joint with the House Committee on Defense & Veterans' Affairs)**

**Commentary:**

The House Committee on Elections will study the implementation and impact of the Federal Military Overseas Empowerment Act (MOVE Act). SB 100 was passed by the Legislature to facilitate the voting process for military and overseas voters who often encounter problems and time delays with the standard vote-by-mail process. The legislation changed election dates to accommodate the requirement to allow 45 days for processing of military overseas ballots.

SB 100 limits the May uniform election date in even-numbered years to non-county elections only, and provides that county election officials are not required to contract to conduct local elections in May of even-numbered years.

Cities, schools and other political subdivisions that normally hold their elections in May of even-numbered years were given the authority to change their general election date to May of odd-numbered years. In order to accomplish the change, political subdivisions were given the option to adopt resolutions to change the length of terms of their members, or provide for the election of all members of the governing body to be held at the same election.

## **Emergency Management**

### **Charge:**

**Examine the benefits and financial costs associated with modernizing 911 call centers with the newest technology to connect dispatchers with callers using mobile means of communication in the fastest and most accurate manner possible during a time of emergency. (House Committee on Technology)**

### Commentary:

This interim charge will study the feasibility of using emerging technologies to take advantage of new communication capabilities while updating 911 call centers. The advances in personal communication and social media are pushing the development of new 911 technology such as Enhanced 911 and Next Generation 911 to aid with correct location for dispatch purposes and utilizing the best means of communication during times of emergency.

## **Health Care**

### **Charge:**

**Monitor the implementation of cost-savings initiatives in health and human services programs directed by HB 1 (82R) and SB 7 (82S1), including the expansion of Medicaid managed care. Study the impact of changes in hospital reimbursement methodology, including implementation of a statewide Standard Dollar Amount and the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 waiver. (House Committee on Appropriations)**

### **Charge:**

**Study existing financing mechanisms and delivery methods for long-term services and supports in the Texas Medicaid program. Consider best practices, expansion of consumer-directed models, and successful programs in other states. Make recommendations to simplify and streamline existing programs and to provide services in a more cost-effective manner to a greater number of eligible individuals while ensuring an appropriate level of services for those with significant needs. (House Committee on Appropriations)**

**Charge:**

**Monitor implementation of the federal Patient Protection and Affordable Care Act, including any changes that may result from ongoing litigation or legislative modification or repeal. (House Committee on Appropriations, Joint charge with the House Committee on Public Health)**

**Commentary:**

There is an overall movement among the state and federal governments to restructure how healthcare is provided. These charges continue that initiative by looking at aspects of the healthcare system including delivery models, streamlining possibilities, access to care and rolling out the Patient Protection and Affordable Care Act. All of these initiatives will impact how services are provided at the local level, including county run programs.

**Jails****Charge:**

**Conduct a general study of issues facing county jails. The study should include innovative ways to address overcrowding, the impact homelessness has on the county jail population, and recommendations for handling inmates undergoing detoxification and withdrawal from drugs and alcohol. (House Committee on County Affairs)**

**Commentary:**

The committee will explore best practices used by counties to manage jail population numbers, inmates requiring additional or extraordinary services, and local operational policies to address inmates with medical concerns.

**Juvenile Justice****Charge:**

**Review and make recommendations on the effectiveness of Disciplinary Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs) in reducing students' involvement in further disciplinary infractions. Determine the appropriate role of disciplinary alternative placements in promoting education achievement and how technology could be used to supplement education services. Consider appropriate placements in DAEPs or JJAEPs and consistent funding models for those programs. Consider options for counties without a JJAEP or inefficiently few placements in a JJAEP. Identify positive behavioral models that promote a learning environment for teachers to appropriately instruct while addressing any behavioral issues and enforcing student discipline. (House Committee on Public Education)**

**Commentary:**

The committee will continue discussions on appropriate school disciplinary options, alternatives to classroom behavior management, improved technology, the effectiveness of alternative education programs and associated costs.

**Charge:**

**Monitor the implementation of SB 653 (82R), which created the Texas Juvenile Justice Department. Make any recommendations needed to enhance the integration of the Texas Youth Commission and the Texas Juvenile Probation Commission. (House Committee on Corrections)**

**Charge:**

**Study ways to reduce the number of youth referred to the juvenile justice system. Consider the availability of mental health services, diversion and early intervention programs, and other prevention methods. (House Committee on Corrections)**

**Commentary:**

The committee will monitor the stability of budgets, programs and services from both agencies as they transition into the new Texas Juvenile Justice Department (TJJD). The charges will include the structural establishment of the new Prevention and Intervention Division at TJJD, explore the various programs funded through different agencies, and define a funding mechanism for the new division which was zero-funded by the legislature.

## **Mental Health**

**Charge:**

**Assess the current infrastructure and funding mechanisms for mental health services in both rural and urban areas throughout the state. Study innovative local programs that could be expanded, as well as successful delivery and financial models in other states. Make recommendations to expand access and improve services through increased efficiency, competition, and transparency. (House Committee on Appropriations)**

**Commentary:**

The provision of mental health services is an extremely costly and broad reaching issue for counties as the dynamics of providing services impacts law enforcement, jails, hospitals, courts, employment and county budgeting. The committee will examine the differences in funding and types of services provided by specific urban models compared to the needs, resources, best practices and effectiveness of other local systems and whether an expansion of particular models or restructuring of mental health delivery methods would be beneficial throughout the state.

**Charge:**

**Review the current sentencing practices for defendants with mental illnesses and make recommendations. Study practices in other states. Compare recent incarceration trends between those who have mental illnesses and those who do not. (House Committee on Criminal Jurisprudence)**

Commentary:

The plight of defendants with mental illnesses is a significant issue for counties, particularly with respect to the impact these defendants have on the criminal justice system and county jails. This interim charge targets a review of current sentencing practices for these defendants, including a likely study of competency restoration practices and procedures in the state.

## **Natural Resources**

**Charge:**

**Evaluate the status of desalination projects in Texas. Include an evaluation of the regulation of brackish groundwater and whether opportunities exist to facilitate better utilization of this groundwater to meet future needs. (House Committee on Natural Resources)**

Commentary:

The water infrastructure of the state is a critical issue for Texas counties. This interim charge will look at the promotion and feasibility of building the desalination infrastructure of the state to take advantage of the water in the Gulf of Mexico, as well as brackish groundwater sources.

**Charge:**

**Monitor the ongoing statewide drought and the performance of state, regional, and local entities in addressing it. (House Committee on Natural Resources)**

Commentary:

On Nov. 1, 2011 Governor Rick Perry declared that all counties in Texas are currently threatened by exceptional drought conditions and an extreme fire hazard due to a continuing disaster in Texas. Additionally, as of early November, 976 public water systems (PWSs) reported to the Texas Commission on Environmental Quality (TCEQ) that they were limiting water use to avoid shortages. State Climatologist Dr. John Nielsen-Gammon recently forecasted the persistence of the existing drought well into the future, and the 2012 Water for Texas plan recently released by the Texas Water Board (TWDB) foretells water shortages up to 2060 and beyond. Accordingly, the House Committee on Natural Resources is examining existing and future plans to insure that state, local and regional water entities are managing water resources effectively.

## **Property Taxes**

**Charge:**

**Evaluate whether current property tax notice requirements effectively serve the intended "truth-in-taxation" purpose of informing taxpayers about the property taxes they pay and who is responsible for deciding how much they pay. (House Committee on Ways and Means)**

Commentary:

This committee will be looking at the tax notifications being given to the public and determine whether the process can be made easier and more transparent.

## **Purchasing**

### **Charge:**

**Examine and make recommendations on purchasing cooperatives created under Chapter 791 of the Texas Government Code, including the bid process and the role of inter-local contracts. Clarify for consistency the following terms: purchasing cooperatives, inter-local contracts, and inter-local agreements. (House Committee on Government Efficiency and Reform)**

### **Commentary:**

Chapter 791 of the Texas Government Code sought to increase the efficiency and effectiveness of local governments by authorizing them to contract with one another. This interim charge will review bid processes and inter-local agreements in order to determine if there are other efficiencies that could be created by restructuring the law. The most recent change in inter-local contracts was the passage of a constitutional amendment that will allow cities or counties to enter into agreements without the imposition of a tax or the provision of a sinking fund.

## **Retirement Systems**

### **Charge:**

**Review local retirement systems that are not a part of statewide systems, the administration of these retirement systems, and current liabilities. Study and make recommendations aimed at curbing rising pension costs to local governments. (House Committee on Pensions, Investments & Financial Services)**

### **Charge:**

**Review the Texas County and District Retirement System and the Texas Municipal Retirement System and examine plan provisions offered to individual participating counties and cities. (House Committee on Pensions, Investments & Financial Services)**

### **Commentary:**

There is a renewed interest in reviewing local retirement systems and how these systems are funded.

## **State Budget**

### **Charge:**

**Examine the growth of constitutionally and statutorily dedicated accounts and their utilization in the budget. Recommend methods to reduce the reliance on dedicated accounts for budget certification purposes, and examine ways to maximize the use of such accounts. (House Committee on Appropriations)**

### **Commentary:**

Many accounts in the state treasury were created for a specific purpose but are no longer used for that purpose, or the funds in the accounts are used for purposes of certifying budget.

Government Code 403.095 says that dedicated funds are available for certification and the Comptroller is directed to reduce the amounts in dedicated accounts by the amount appropriated by the Legislature. This interim charge will assess this practice of utilizing dedicated funds in ways other than their original purpose.

## **Transportation**

### **Charge:**

**Study the environmental review process for transportation projects and monitor the implementation of reforms newly passed by the 82nd Legislature. Continue to work with all stakeholders to develop any necessary changes. (House Committee on Transportation, Joint Charge with the House Committee on Environmental Regulation)**

### **Commentary:**

In order to expedite the construction of local transportation projects, the Legislature authorized counties to enter into agreements with state or federal agencies for environmental review. County officials actively supported the bill's passage; this charge will provide an opportunity for county officials to provide their perspective on how the law is working.

### **Charge:**

**Study transportation funding reforms and develop long-term state funding recommendations, with an eye on any federal reforms that become law. Explore options to eliminate "diversions" from Fund 6 to non-transportation-related programs. (House Committee on Transportation, Joint Charge with the House Committee on Appropriations)**

### **Commentary:**

State and local governments are struggling to meet the ever-growing demands for improved transportation infrastructure. With no new monies, diversion of current Fund 6 and fewer dollars coming from the federal government, this charge will look at ways to solidify funding for current and future transportation projects.