

BILL ANALYSIS

Senate Research Center
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S.B. 380
By: Zaffirini
Human Services
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As Filed

DIGEST

Currently, the Texas Department of Human Services can require the attorney general to conduct a suit to collect penalties against intermediate care facilities for the mentally retarded. This bill would change the responsibility of bringing a suit against such facilities from being an action required by the attorney general, to being an action the attorney general is authorized to perform.

PURPOSE

As proposed, S.B. 380 revises the attorney general's role in bringing a suit against an intermediate care facility for the mentally retarded from being required to conduct a suit, to being authorized to institute an action.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 252.064(c), Health and Safety Code, to authorize, rather than require, the attorney general to institute an action in a district court to collect a civil penalty regarding care facilities for the mentally retarded. Makes conforming and nonsubstantive changes.

SECTION 2. Emergency clause.
Effective date: upon passage