

BILL ANALYSIS

Senate Research Center

C.S.S.B. 187

By: Zaffirini

Finance

4/4/2005

Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Comprehensive Rehabilitation Fund (fund) is a \$10 million fund dedicated to treatment of patients with brain and spinal cord injuries. The fund, established by the 72nd Legislature, Regular Session, 1991, directs a percentage of court costs collected from misdemeanor and felony convictions to a special fund to pay for rehabilitative services. Individuals with severe brain and spinal cord injuries can access the fund to receive better treatment shortly after they experience an injury. Therefore, victims of severe trauma are less likely to end up in nursing homes in the long term. Institutional care is much more expensive for the state than rehabilitation and community-based support. There were 458 brain and spinal cord patients served by the fund last year, and there is currently a waiting list for the fund.

Although the statute specifies that money in the fund may be appropriated only to the Texas Rehabilitation Commission for the purposes of rehabilitation services, an additional statutory provision allows any money in the fund to be used for general governmental purposes if: (1) the comptroller certifies that appropriations from general revenue made by the preceding legislature for the current biennium exceed available general revenues and cash balances for the remainder of that biennium; (2) an estimate of anticipated revenues for a succeeding biennium prepared by the comptroller in accordance with Section 49a, Article III, Texas Constitution, is less than the revenues that are estimated at the same time by the comptroller to be available for the current biennium; or (3) the Legislative Budget Board otherwise determines that a state fiscal emergency exists that requires use of any money in the fund for general governmental purposes.

C.S.S.B. 187 repeals the statutory provision that allows money in the Comprehensive Rehabilitation Fund to be used for general governmental purposes. It also requires the comptroller at the end of each fiscal year to transfer any unexpended balance in the comprehensive rehabilitation fund that exceeds \$1,500,000 to the General Revenue Fund.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 111.060(b), Human Resources Code, to require the comptroller, at the end of each state fiscal year, to transfer to the General Revenue Fund any unexpended balance in the comprehensive rehabilitation fund that exceeds \$1,500,000, rather than \$500,000.

SECTION 2. Repealer: Section 111.060(d) (Comprehensive Rehabilitation Fund), Human Resources Code, which provides that any money in the comprehensive rehabilitation fund may be used for general governmental purposes, if certain procedures have been followed.

SECTION 3. Effective date: upon passage or September 1, 2005.