

BILL ANALYSIS

C.S.S.B. 1928
By: Seliger
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties explain that the Health and Human Services Commission (HHSC) offers refugee resettlement services to help refugee families who live outside their country of origin and who cannot return to their home due to fear of persecution based on race, religion, ethnicity, or membership in a social or political group attain economic independence and cultural adjustment after their arrival in the United States. As these services are a coordinated effort between local voluntary resettlement agencies, national voluntary resettlement agencies, the U.S. Department of State, and HHSC, the parties assert that a well-organized, systematic plan of engagement between local agencies and stakeholders such as school districts, local hospital districts, law enforcement organizations, and major employers is vital to the assurance of available resources within communities in which these refugees are placed. C.S.S.B. 1928 seeks to provide for increased public participation and local input regarding the placement of refugees.

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 rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.S.B. 1928 amends the Government Code to require the executive commissioner of the Health and Human Services Commission, not later than May 1, 2016, to adopt rules to ensure that local governmental and community input is included in any refugee placement report required under a federal refugee resettlement program and to ensure that governmental entities and officials are provided with related information. The bill requires the executive commissioner, in adopting the rules, to ensure that, to the extent permitted under federal law:

- meetings are convened, at least quarterly, in the communities proposed for refugee placement at which representatives of local resettlement agencies have an opportunity to consult with and obtain feedback from local governmental entities and officials, including municipal and county officials, local school district officials, and representatives of local law enforcement agencies, and from other community stakeholders, including major providers under the local health care system and major employers of refugees, regarding proposed refugee placement;
- a local resettlement agency considers all feedback obtained in such meetings before preparing a proposed annual report on the placement of refugees for federal reporting purposes;
- a local resettlement agency informs the described state and local governmental entities and officials and community stakeholders of the proposed annual report;
- a local resettlement agency develops a final annual report for the national voluntary

agencies and the Health and Human Services Commission (HHSC) that includes a summary regarding how stakeholder input contributed to the report;

- HHSC obtains from local resettlement agencies the preliminary number of refugees the local resettlement agencies recommended to the national voluntary agencies for placement in communities throughout Texas and provides that information to local governmental entities and officials in those communities; and
- HHSC obtains from the U.S. Department of State or other appropriate federal agency the number of refugees apportioned to Texas and provides that information and information regarding the number of refugees intended to be placed in each community in Texas to local governmental entities and officials in those communities.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1928 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 531.041, Government Code, is amended to read as follows:

Sec. 531.041. GENERAL POWERS AND DUTIES. (a) The commission has all the powers and duties necessary to administer this chapter.

(b) The executive commissioner shall adopt rules for gathering and considering community input on the local refugee placement reporting requirements for the United States refugee resettlement program.

(1) The rules must, at a minimum, require the local volunteer agencies to take the following actions:

(a) convene and conduct quarterly refugee placement consultations with state and local government and community stakeholders regarding proposed refugee placement;

(b) obtain feedback on the proposed refugee placement from community stakeholders including but not limited to city, county, and state officials; local health care systems; local school districts; and local law enforcement agencies; and

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0411 to read as follows:

Sec. 531.0411. RULES REGARDING REFUGEE RESETTLEMENT.

(a) In this section, "local resettlement agency" and "national voluntary agency" have the meanings assigned by 45 C.F.R. Section 400.2.

(b) The executive commissioner shall adopt rules to ensure that local governmental and community input is included in any refugee placement report required under a federal refugee resettlement program and that governmental entities and officials are provided with related information.

In adopting rules under this section, the executive commissioner shall, to the extent permitted under federal law, ensure that:

(1) meetings are convened, at least quarterly, in the communities proposed for refugee placement at which representatives of local resettlement agencies have an opportunity to consult with and obtain feedback from local governmental entities and officials, including municipal and county officials, local school district officials, and representatives of local law enforcement agencies, and from other community stakeholders, including major providers under the local health care system

major employers of refugees;
(c) consider all feedback obtained prior to releasing the annual proposed refugee placement report for the United States Department of State's Reception and Placement (R&P) program;
(d) develop a final refugee placement report for the national voluntary agencies and Health and Human Services Commission and include a summary of how stakeholder input contributed to the final request; and
(e) inform all community stakeholders, as described in Subsection (b), of the annual proposed refugee placement report.

and major employers of refugees, regarding proposed refugee placement;
(2) a local resettlement agency:
(A) considers all feedback obtained in meetings conducted under Subdivision (1) before preparing a proposed annual report on the placement of refugees for purposes of 8 U.S.C. Section 1522(b)(7)(E);
(B) informs the state and local governmental entities and officials and community stakeholders described under Subdivision (1) of the proposed annual report; and
(C) develops a final annual report for the national voluntary agencies and the commission that includes a summary regarding how stakeholder input contributed to the report; and
(3) the commission:
(A) obtains from local resettlement agencies the preliminary number of refugees the local resettlement agencies recommended to the national voluntary agencies for placement in communities throughout this state and provides that information to local governmental entities and officials in those communities; and
(B) obtains from the United States Department of State or other appropriate federal agency the number of refugees apportioned to this state and provides that information and information regarding the number of refugees intended to be placed in each community in this state to local governmental entities and officials in those communities.

SECTION 2. Not later than May 1, 2016, the Health and Human Services executive commissioner shall adopt the rules as provided by Section 531.041(b), Government Code, as added by this Act.

SECTION 2. Substantially the same as engrossed version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 3. Same as engrossed version.