ANALYSIS

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Senate Bill 257 (as introduced 3-21-17)

Sponsor: Senator Ian Conyers

Committee: Outdoor Recreation and Tourism

Date Completed: 2-20-18

CONTENT

The bill would enact the "Athletes with an Intellectual Disability Empowerment Commission Act" to do the following:

- -- Create the Athletes with an Intellectual Disability Empowerment Commission within the Department of Health and Human Services (DHHS).
- -- Provide for the appointment of members to the Commission, and its procedures.
- -- Specify the Commission's responsibilities, such as promoting recreational opportunities and athletic competitions for athletes with an intellectual disability, and educating the general public on the benefits of athletics for people with intellectual disabilities.
- -- Establish the "Athletes with an Intellectual Disability Empowerment Fund".
- -- Require the DHHS to spend Fund money, upon appropriation, only for certain purposes, including to provide funding for training athletes with an intellectual disability.

Athletes with an Intellectual Disability Empowerment Commission

The Commission would consist of the following members:

- -- The Lieutenant Governor, as an ex officio, nonvoting member.
- -- An individual appointed by the Governor.
- -- An individual appointed by the Senate Majority Leader.
- -- An individual appointed by the Senate Minority Leader.
- -- An individual appointed by the Speaker of the House.
- -- An individual appointed by the House Minority Leader.
- -- Four individuals from the State's public universities, appointed by the Governor.

The members first appointed to the Commission would have to be appointed within 60 days after the bill's effective date. Commission members would serve for four years or until a successor was appointed, whichever was later, except that of the members first appointed, three would serve for one year, three for two years, and three for three years. A vacancy would have to be filled for the unexpired term in the same manner as the original appointment. The Governor could remove a member for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

The Lieutenant Governor would have to call the first meeting of the Commission. At that meeting, the Commission would have to elect a chairperson and other officers as it considered

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necessary or appropriate. The Commission then would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by six or more voting members.

A majority of the Commission's membership would constitute a quorum for the transaction of business. A majority of those present and serving would be required for official action. The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

Commission members would have to serve without compensation; however, members could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

The Commission would have to do all of the following:

- -- Promote and raise awareness of recreational opportunities and athletic competitions for athletes with an intellectual disability.
- -- Educate the general public on the benefits of athletics for people with intellectual disabilities.
- -- Provide funding to identify and develop training programs for athletes with an intellectual disability.
- -- Connect athletes with an intellectual disability with medical and sports programs at the State's public universities.
- -- Investigate opportunities to attract events and championships for athletes with an intellectual disability to the State.

Athletes with an Intellectual Disability Empowerment Fund

The bill would create the Athletes with an Intellectual Disability Empowerment Fund within the State Treasury. The State Treasurer could receive money or other assets from any source for deposit in the Fund. The Treasurer would have to direct the investment of the Fund and credit to it interest and earnings from Fund investments. Money in the Fund at the close of the fiscal year would remain in the Fund and would not lapse to the General Fund. The DHHS would be the administrator of the proposed Fund for auditing purposes.

The Department would have to spend Fund money, upon appropriation, only for one or more of the following purposes:

- -- To provide funding for training athletes with an intellectual disability.
- -- To promote and identify opportunities for athletes with an intellectual disability to participate in athletic events and competitions.
- -- To provide educational materials on the benefits of participating in athletic events and competition for athletes with an intellectual disability.
- -- To provide funding to evaluate individuals for placement on the intellectual disability spectrum.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have a small negative fiscal impact on the State and no fiscal impact on local units of government. Members of the proposed Commission would serve without compensation, but could be reimbursed for their actual and necessary expenses. The costs would depend on the actual reimbursements requested by Commission members for expenses, but could be paid for out of existing Department of Health and Human Services appropriations.

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The Department of Treasury would experience a minor increase in costs in order to administer the Athletes with an Intellectual Disability Empowerment Fund. The cost to administer the Fund would be less than \$10,000 and could be paid for out of existing Department of Treasury appropriations.

Fiscal Analyst: Ellyn Ackerman

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