

Chapter: Agency Management and Operations	<b>Effective Date: 10/1/16</b>  Page: 1 of 1  Replaces: GAP.385.8170, 11/8/05
Subchapter: Interaction with the Public	
<b>Rule: Acceptance of Gifts of \$500 or More</b>	
ACA: N/A	
Statutes: <a href="#">Gov't Code Chapter 575</a> , <a href="#">Gov't Code § 2204.002</a> , <a href="#">HR Code § 203.005</a>	

**RULE**

(a) **Purpose.**

This rule establishes a process for the Texas Juvenile Justice Department (TJJJ) to accept gifts, grants, or donations of money or property having an actual or estimated value of \$500 or more.

(b) **Applicability.**

(1) This policy applies to gifts that are to be administered or distributed by TJJJ or that are to be used by TJJJ to operate or improve TJJJ's programs or facilities, including the following:

- (A) gifts made to TJJJ by community resource councils;
- (B) gifts of money or property; and
- (C) gifts that support a youth activity.

(2) This policy does not apply to the following:

- (A) gifts made to community resource councils;
- (B) volunteer services; or
- (C) gifts made to individual youth.

(c) **General Provisions.**

(1) The Texas Juvenile Justice Board (Board) is required to acknowledge the acceptance of gifts having an actual or estimated value of \$500 or more not later than the 90<sup>th</sup> day after the date the gift is accepted. Legislative approval is required for the acceptance of gifts of real property.

(2) If the actual value of a gift cannot be ascertained, a gift may be assigned an estimated value of \$500 or more by the donor, the chief local administrator, or the chief financial officer or designee.

(3) A gift that has an actual or estimated value of \$500 or more must not be accepted from a person(s) who is involved in a contested case before the agency until the 30th day after the date the decision in the case becomes final.

(4) Gifts of cash to the agency must not be accepted unless the check is made payable to "Texas Juvenile Justice Department".

(5) Upon TJJJ's receipt of a gift having an actual or estimated value of \$500 or more, TJJJ must send the donor a written acknowledgement of receipt of the gift and conditional acceptance, subject to the Board's acknowledgement of acceptance.

(6) The Board's acknowledgement of the gift is by a majority vote of the Board in an open meeting. The minutes of the Board meeting must reflect the name of the donor, a description of the gift, and the purpose of the gift.

(7) TJJJ must send written notification to the donor of the Board's action regarding the gift. The written notification must indicate that the gift has an actual or estimated value of \$500 or more, but may not assign a specific value to the item donated unless the donor has provided suitable documentation of that value.

(8) The executive director must approve the planned use of estate gifts having an actual or estimated value of \$500 or more.