

BILL ANALYSIS

Senate Research Center

H.B. 1596
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Health & Human Services
5-12-97
Engrossed

DIGEST

Currently, personal care facilities are required to be licensed under Texas law. Many operators of personal care facilities, however, have chosen to keep their facilities unlicensed, therefore avoiding compliance with state standards. The state has been ineffective in bringing unlicensed personal care facilities into compliance. This bill would allow municipalities, upon the adoption of a municipal ordinance, to enforce the licensing requirement for personal care facilities.

PURPOSE

As proposed, H.B. 1596 allows municipalities, upon the adoption of a municipal ordinance, to enforce the licensing requirement for personal care facilities.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the governing body of a municipality in SECTION 1 (Section 247.029, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 247B, Health and Safety Code, by adding Section 247.029, as follows:

Sec. 247.029. MUNICIPAL ENFORCEMENT. Authorizes the governing body of a municipality, by ordinance, to prohibit a person who does not hold a license issued under this chapter from establishing or operating a personal care facility within the municipality; and establish a procedure for emergency closure of a facility in circumstances in which the facility is established or operating in violation of Section 247.021; and the continued operation of the facility creates an immediate threat to the health and safety of a resident of the facility.

SECTION 2. Emergency clause.
Effective date: upon passage.