

## **BILL ANALYSIS**

Senate Research Center

H.B. 2866  
By: Swinford (Madla)  
Health & Human Services  
5/18/2003  
Engrossed

### **DIGEST AND PURPOSE**

In 1997, the 75th Texas Legislature passed H.B. 1555 by in an effort to reduce the duplication of inspections of child care facilities by the myriad of state agencies, such as the Department of Protective and Regulatory Services, the Department of Human Services, the Texas Department of Health, and the Texas Workforce Commission.

Further, S.B. 833 passed during the 77th Legislature required state agencies to develop a checklist for the inspecting agencies to coordinate inspections. Since the passage of those bills, more municipalities have begun to set standards and inspect day-care facilities, thus, complicating efforts to streamline the inspection process.

H.B. 2866 requires the Texas Department of Protective and Regulatory Services to coordinate the inspection process undertaken by municipalities, thereby reducing unnecessary expense to state government, municipalities, child care providers, and the families they serve.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 42.0442(a), (b), and (c), Human Resources Code, as follows:

- (a) Requires the Texas Department of Protective and Regulatory Services (DPRS) to coordinate monitoring inspections of certain entities performed by another state agency or a political subdivision of the state.
- (b) Requires DPRS to form a task force, rather than an interagency task force, consisting of representatives of certain state agencies and political subdivisions. Makes conforming changes.
- (c) Makes conforming changes.

SECTION 2. (a) Effective date: upon passage or September 1, 2003.

- (b) Requires DPRS, not later than June 1, 2004, to complete development of the inspection protocol required by Section 42.0442(b), Human Resources Code, as amended by this Act, and establishment of the inspection checklist required by Section 42.0442(c), Human Resources Code, as amended by this Act and requires each political subdivision of this state to begin using the inspection checklist as required by Section 42.0442(c), Human Resources Code, as amended by this Act.