

BILL ANALYSIS

Senate Research Center
78R17059 KKA-F

C.S.H.B. 2866
By: Swinford (Madla)
Health & Human Services
5/21/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

C.S.H.B. 2866 sets forth provisions for the coordinated inspection of certain child-care facilities for compliance with fire safety and sanitation.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Protective and Regulatory Services in SECTION 1 (Section 42.0443, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 42, Human Resources Code, by adding Section 42.0443, as follows:

Sec. 42.0443. COORDINATION OF FIRE SAFETY AND SANITATION INSPECTIONS. (a) Prohibits the Department of Protective and Regulatory Services (DPRS) from inspecting a licensed day-care center, licensed group day-care home, or registered family home for compliance with DPRS's fire safety or sanitation standards if the facility, at the time of DPRS's inspection, provides DPRS with documentation relating to a current fire safety or sanitation inspection, as applicable, performed by a political subdivision of this state that indicates that the facility is in compliance with the applicable standards of the political subdivision.

(b) Requires DPRS, if the documentation provided under Subsection (a) indicates that the facility was required to take corrective action or that the political subdivision imposed a restriction or condition on the facility, to determine whether the facility took the required corrective action or complied with the restriction or condition.

(c) Authorizes DPRS to inspect a facility subject to this section for compliance with DPRS's fire safety or sanitation standards if certain conditions exist.

(d) Requires DPRS, notwithstanding any other provision of this section, to report to the appropriate political subdivision any violation of fire safety or sanitation standards observed by DPRS at a facility subject to this section.

(e) Requires DPRS to adopt rules necessary to implement this section.

SECTION 2. Effective date : September 1, 2003.