

## **BILL ANALYSIS**

Senate Research Center  
82R13034 MCK-F

S.B. 1745  
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Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

On February 24, 2011, a fire filled a home day-care facility in Houston. The unfortunate effect of this fire was the death of three infants and serious injury to four other children. Following the fire, local officials investigated the fire and surmised that the smoke detectors in the facility were inadequate and that the event may have been preventable. Additionally, they determined that they did not have necessary authority to inspect such facilities to ensure that a similar event does not occur again.

S.B. 1745 provides local officials the ability to inspect and enforce state law and rules regarding fire safety standards at a licensed group day-care home or registered family home. Additionally, the bill requires that local officials report any violations to the Department of Family and Protective Services.

As proposed, S.B. 1745 amends current law relating to enforcement by a local government of fire safety standards at certain child-care facilities.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 42, Human Resources Code, by adding Section 42.04431, as follows:

Sec. 42.04431. ENFORCEMENT OF STATE LAW BY COUNTY OR MUNICIPALITY. (a) Authorizes a municipality or a county to enforce state law and rules adopted under state law concerning fire safety standards at a licensed group day-care home or a registered family home.

(b) Requires a municipality or county to report to the Department of Family and Protective Services any violation of fire safety standards observed by the municipality or county at a licensed group day-care home or registered family home.

SECTION 2. Effective date: September 1, 2011.