

1-1 By: Reynolds, et al. H.B. No. 149
 1-2 (Senate Sponsor - Kolkhorst, Miles)
 1-3 (In the Senate - Received from the House April 19, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Health &
 1-5 Human Services; May 21, 2021, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-7 May 21, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 149 By: Powell

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to a study to evaluate state and local regulation of group
 1-23 homes.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. (a) The Health and Human Services Commission
 1-26 shall conduct a study on state and local regulation of group homes.

1-27 (b) The study must:

1-28 (1) identify and evaluate state laws relating to the
 1-29 regulation of group homes, including:

1-30 (A) a boarding home facility, as defined by
 1-31 Section 260.001, Health and Safety Code; and

1-32 (B) a community home, described by Chapter 123,
 1-33 Human Resources Code;

1-34 (2) analyze the procedures for filing complaints
 1-35 against group homes and make recommendations to expedite complaint
 1-36 processes;

1-37 (3) analyze complaints filed against group homes in
 1-38 the preceding 10 years;

1-39 (4) analyze the enforcement authority over group homes
 1-40 granted to state and local governmental agencies, including the
 1-41 authority of counties and municipalities to enforce boarding home
 1-42 regulations;

1-43 (5) recommend whether additional state and local
 1-44 governmental enforcement authority over group homes is needed;

1-45 (6) recommend processes to expedite the licensing of
 1-46 and regulatory procedures for group homes;

1-47 (7) determine whether new categories of group homes
 1-48 should be licensed or regulated by state or local governmental
 1-49 agencies;

1-50 (8) discuss and recommend methods for identifying
 1-51 unlicensed group homes; and

1-52 (9) evaluate whether Section 260.011, Health and
 1-53 Safety Code, which prohibits a county or municipality from
 1-54 excluding boarding home facilities from residential areas by zoning
 1-55 and similar regulations, prevents certain counties and
 1-56 municipalities from regulating boarding home facilities.

1-57 (c) Not later than December 1, 2022, the Health and Human
 1-58 Services Commission shall prepare a written or electronic report
 1-59 that includes a summary of the results of the study conducted under
 1-60 this section and any legislative recommendations based on the study

2-1 and submit the report to the governor, lieutenant governor, speaker
2-2 of the house of representatives, and members of the standing
2-3 committees of the senate and the house of representatives with
2-4 jurisdiction over the Health and Human Services Commission.

2-5 SECTION 2. This Act takes effect September 1, 2021.

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