

1-1 By: Miles, Campbell S.B. No. 1630
 1-2 (In the Senate - Filed March 11, 2021; March 24, 2021, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 May 13, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; May 13, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
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 COMMITTEE SUBSTITUTE FOR S.B. No. 1630 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to criminal history record information checks for
 1-22 applicants for employment and employees of group homes; creating a
 1-23 criminal offense.

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

1-25 SECTION 1. Subtitle A, Title 9, Health and Safety Code, is
 1-26 amended by adding Chapter 769 to read as follows:

1-27 CHAPTER 769. REGULATION OF CERTAIN GROUP HOMES

1-28 Sec. 769.001. DEFINITION. In this chapter, "group home"
 1-29 means an establishment that:

1-30 (1) provides, in one or more buildings, lodging to
 1-31 three or more residents who are unrelated by blood or marriage to
 1-32 the owner of the establishment; and

1-33 (2) provides those residents with community meals,
 1-34 light housework, meal preparation, transportation, grocery
 1-35 shopping, money management, laundry services, or assistance with
 1-36 self-administration of medication but does not provide personal
 1-37 care services as defined by Section 247.002.

1-38 Sec. 769.002. EXEMPTIONS. This chapter does not apply to:

1-39 (1) a person who holds a license issued under Chapter
 1-40 142, 242, 246, 247, or 252;

1-41 (2) a person who is exempt from licensing under
 1-42 Section 142.003(a)(19), 242.003(3), or 247.004(4);

1-43 (3) a hotel as defined by Section 156.001, Tax Code;

1-44 (4) a retirement community;

1-45 (5) a monastery or convent;

1-46 (6) a child-care facility as defined by Section
 1-47 42.002, Human Resources Code;

1-48 (7) a family violence shelter center as defined by
 1-49 Section 51.002, Human Resources Code; or

1-50 (8) a sorority or fraternity house or other dormitory
 1-51 associated with an institution of higher education.

1-52 Sec. 769.003. EMPLOYEES AND APPLICANTS CONVICTED OF CERTAIN
 1-53 OFFENSES; CRIMINAL PENALTY. (a) An owner or operator of a group
 1-54 home must obtain criminal history record information maintained by
 1-55 the Department of Public Safety of the State of Texas that relates
 1-56 to an individual who is an applicant for employment with or an
 1-57 employee of the group home.

1-58 (b) An owner or operator of a group home may not hire or
 1-59 continue to employ an individual for whom the owner or operator
 1-60 obtains criminal history record information on the employee's or

2-1 applicant's conviction of an offense under Chapter 19, 20, 20A, 21,
2-2 22, 25, 28, 29, 30, 31, 32, 33, 33A, 34, 35, 35A, 48, or 71, Penal
2-3 Code, or any other offense punishable as a Class A misdemeanor or a
2-4 felony.

2-5 (c) An owner or operator who violates Subsection (b) commits
2-6 an offense. An offense under this section is a Class A misdemeanor.

2-7 SECTION 2. Section 769.003, Health and Safety Code, as
2-8 added by this Act, applies only to an application for employment
2-9 submitted on or after the effective date of this Act.

2-10 SECTION 3. This Act takes effect September 1, 2021.

2-11 * * * * *