

By: Cook, Alvarado  
Hall

S.B. No. 1310

A BILL TO BE ENTITLED

AN ACT

relating to senior retirement communities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 9, Health and Safety Code, is amended by adding Chapter 786 to read as follows:

CHAPTER 786. SENIOR RETIREMENT COMMUNITIES

Sec. 786.001. DEFINITIONS. In this chapter:

(1) "Chronic condition residential customer" means a residential customer who has a person permanently residing in the customer's home who has been diagnosed by a physician as having a serious medical condition that requires an electric-powered medical device or electric heating or cooling to prevent the impairment of a major life function through a significant deterioration or exacerbation of the person's medical condition.

(2) "Common amenity" means an amenity or service offered or provided to residents of a multiunit residential property, including:

(A) concierge services;

(B) a library;

(C) common dining services;

(D) housekeeping services; and

(E) full-time security.

(3) "Critical care residential customer" and "customer" have the meanings assigned by Section 17.002, Utilities

1 Code.

2 (4) "Electric cooperative" and "municipally owned  
3 utility" have the meanings assigned by Section 11.003, Utilities  
4 Code.

5 (5) "Electric utility" has the meaning assigned by  
6 Section 31.002, Utilities Code.

7 (6) "Resident" means an individual who resides in a  
8 senior retirement community as a unit owner or tenant.

9 (7) "Senior retirement community" means a residential  
10 community or a portion of a residential community:

11 (A) described by Section 301.043, Property Code;

12 (B) that contains not fewer than 20 residential  
13 units in one or more multiunit buildings that are available to own,  
14 rent, or lease; and

15 (C) that provides common amenities.

16 (8) "Senior retirement community contract" means a  
17 contract with a resident of a senior retirement community for  
18 providing a common amenity to a resident.

19 (9) "Unit" means a physical portion of a residential  
20 property designated for separate ownership or occupancy.

21 Sec. 786.002. EXEMPTIONS. This chapter does not apply to:

22 (1) a health care institution as defined by Section  
23 74.001, Civil Practice and Remedies Code;

24 (2) a boarding home facility as defined by Section  
25 260.001 that holds a permit issued under Chapter 260;

26 (3) a supportive housing facility for elderly  
27 individuals operated under Section 202, the National Housing Act

1 (12 U.S.C. Section 1701q);

2 (4) a center for independent living as defined by  
3 Section 702 of the federal Rehabilitation Act of 1973 (29 U.S.C.  
4 Section 796a); or

5 (5) any other facility that is regulated by the Health  
6 and Human Services Commission or in accordance with rules adopted  
7 by the Centers for Medicare and Medicaid Services.

8 Sec. 786.003. EMERGENCY RESPONSE PLAN. (a) A senior  
9 retirement community shall prepare, maintain, and annually update a  
10 written emergency response plan.

11 (b) The emergency response plan must:

12 (1) describe methods to be used to communicate with  
13 residents during a disaster;

14 (2) provide for at least one employee to stay on site  
15 during a disaster unless the disaster results in an evacuation of  
16 the senior retirement community;

17 (3) provide for the provision of food, water, and  
18 essential supplies to residents during a disaster by the senior  
19 retirement community or a contracted entity;

20 (4) detail the options for the transport of residents  
21 during an evacuation;

22 (5) provide for emergency planning meetings for the  
23 residents to occur at least twice each year; and

24 (6) include a compilation of disaster preparation  
25 resources available to residents, including 2-1-1 services  
26 provided by the Texas Information and Referral Network,  
27 registration with the State of Texas Emergency Assistance Registry,

1 and registration with the electric utility, electric cooperative,  
2 or municipally owned utility that serves the resident to receive a  
3 designation as a critical care residential customer, chronic  
4 condition residential customer, or any other designation the  
5 utility or cooperative offers for the purpose of prioritizing the  
6 restoration of service or providing notice to customers regarding  
7 outages.

8 (c) A senior retirement community shall:

9 (1) provide the emergency response plan to each  
10 resident;

11 (2) provide the emergency response plan to a  
12 resident's family member on request; and

13 (3) post a written notice of the emergency response  
14 plan in a conspicuous manner at a location on the community premises  
15 where the community posts other community notices.

16 Sec. 786.004. AGREEMENT OR CONTRACT PROVISIONS. A lease,  
17 rental, or purchase agreement for a residential unit in a senior  
18 retirement community or a senior retirement community contract with  
19 a resident:

20 (1) must include a copy of the emergency response plan  
21 that the community has adopted as required by Section 786.003; and

22 (2) may not include a provision that controls the  
23 content or execution of the resident's advance directive or  
24 testamentary documents.

25 Sec. 786.005. HEALTH AND SAFETY INVESTIGATIONS AND RESIDENT  
26 COMMUNICATIONS. A senior retirement community may not:

27 (1) prevent or inhibit a resident from or penalize a

1 resident for communicating with a law enforcement officer, social  
2 worker, family member, or other interested person regarding the  
3 health and safety of residents of the senior retirement community;  
4 or

5 (2) prevent a law enforcement officer, court officer,  
6 social worker, family member, or other invited person from entering  
7 a common area of the senior retirement community to conduct a  
8 voluntary interview with a resident as part of an investigation  
9 into the health and safety of residents of the community or  
10 regarding an incident at the community.

11 SECTION 2. (a) A senior retirement community is not  
12 required to comply with Section 786.003, Health and Safety Code, as  
13 added by this Act, before January 1, 2026.

14 (b) Section 786.004, Health and Safety Code, as added by  
15 this Act, applies only to an agreement or contract entered into or  
16 renewed on or after the effective date of this Act.

17 SECTION 3. This Act takes effect September 1, 2025.