

1-1 By: Cook, Alvarado S.B. No. 1310
1-2 (In the Senate - Filed February 14, 2025;
1-3 February 28, 2025, read first time and referred to Committee on
1-4 Health & Human Services; May 8, 2025, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9,
1-6 Nays 0; May 8, 2025, sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Kolkhorst	X		PNV
1-10	Perry	X		
1-11	Blanco	X		
1-12	Cook	X		
1-13	Hall	X		
1-14	Hancock	X		
1-15	Hughes	X		
1-16	Miles	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1310 By: Miles

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

1-21 relating to senior retirement communities.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Subtitle B, Title 9, Health and Safety Code, is
1-24 amended by adding Chapter 786 to read as follows:
1-25 CHAPTER 786. SENIOR RETIREMENT COMMUNITIES
1-26 Sec. 786.001. DEFINITIONS. In this chapter:
1-27 (1) "Chronic condition residential customer" means a
1-28 residential customer who has a person permanently residing in the
1-29 customer's home who has been diagnosed by a physician as having a
1-30 serious medical condition that requires an electric-powered
1-31 medical device or electric heating or cooling to prevent the
1-32 impairment of a major life function through a significant
1-33 deterioration or exacerbation of the person's medical condition.
1-34 (2) "Common amenity" means an amenity or service
1-35 offered or provided to residents of a multiunit residential
1-36 property, including:
1-37 (A) concierge services;
1-38 (B) a library;
1-39 (C) common dining services;
1-40 (D) housekeeping services; and
1-41 (E) full-time security.
1-42 (3) "Critical care residential customer" and
1-43 "customer" have the meanings assigned by Section 17.002, Utilities
1-44 Code.
1-45 (4) "Electric cooperative" and "municipally owned
1-46 utility" have the meanings assigned by Section 11.003, Utilities
1-47 Code.
1-48 (5) "Electric utility" has the meaning assigned by
1-49 Section 31.002, Utilities Code.
1-50 (6) "Resident" means an individual who resides in a
1-51 senior retirement community as a unit owner or tenant.
1-52 (7) "Senior retirement community" means a residential
1-53 community or a portion of a residential community:
1-54 (A) described by Section 301.043, Property Code;
1-55 (B) that contains not fewer than 20 residential
1-56 units in one or more multiunit buildings that are available to own,
1-57 rent, or lease; and
1-58 (C) that provides common amenities.
1-59 (8) "Senior retirement community contract" means a
1-60 contract with a resident of a senior retirement community for

2-1 providing a common amenity to a resident.

2-2 (9) "Unit" means a physical portion of a residential
 2-3 property designated for separate ownership or occupancy.

2-4 Sec. 786.002. EXEMPTIONS. This chapter does not apply to:

2-5 (1) a health care institution as defined by Section
 2-6 74.001, Civil Practice and Remedies Code;

2-7 (2) a boarding home facility as defined by Section
 2-8 260.001 that holds a permit issued under Chapter 260;

2-9 (3) a supportive housing facility for elderly
 2-10 individuals operated under Section 202, the National Housing Act
 2-11 (12 U.S.C. Section 1701q);

2-12 (4) a center for independent living as defined by
 2-13 Section 702 of the federal Rehabilitation Act of 1973 (29 U.S.C.
 2-14 Section 796a); or

2-15 (5) any other facility that is regulated by the Health
 2-16 and Human Services Commission or in accordance with rules adopted
 2-17 by the Centers for Medicare and Medicaid Services.

2-18 Sec. 786.003. EMERGENCY RESPONSE PLAN. (a) A senior
 2-19 retirement community shall prepare, maintain, and annually update a
 2-20 written emergency response plan.

2-21 (b) The emergency response plan must:

2-22 (1) describe methods to be used to communicate with
 2-23 residents during a disaster;

2-24 (2) provide for at least one employee to stay on site
 2-25 during a disaster unless the disaster results in an evacuation of
 2-26 the senior retirement community;

2-27 (3) provide for the provision of food, water, and
 2-28 essential supplies to residents during a disaster by the senior
 2-29 retirement community or a contracted entity;

2-30 (4) detail the options for the transport of residents
 2-31 during an evacuation;

2-32 (5) provide for emergency planning meetings for the
 2-33 residents to occur at least twice each year; and

2-34 (6) include a compilation of disaster preparation
 2-35 resources available to residents, including 2-1-1 services
 2-36 provided by the Texas Information and Referral Network,
 2-37 registration with the State of Texas Emergency Assistance Registry,
 2-38 and registration with the electric utility, electric cooperative,
 2-39 or municipally owned utility that serves the resident to receive a
 2-40 designation as a critical care residential customer, chronic
 2-41 condition residential customer, or any other designation the
 2-42 utility or cooperative offers for the purpose of prioritizing the
 2-43 restoration of service or providing notice to customers regarding
 2-44 outages.

2-45 (c) A senior retirement community shall:

2-46 (1) provide the emergency response plan to each
 2-47 resident;

2-48 (2) provide the emergency response plan to a
 2-49 resident's family member on request; and

2-50 (3) post a written notice of the emergency response
 2-51 plan in a conspicuous manner at a location on the community premises
 2-52 where the community posts other community notices.

2-53 Sec. 786.004. AGREEMENT OR CONTRACT PROVISIONS. A lease,
 2-54 rental, or purchase agreement for a residential unit in a senior
 2-55 retirement community or a senior retirement community contract with
 2-56 a resident:

2-57 (1) must include a copy of the emergency response plan
 2-58 that the community has adopted as required by Section 786.003; and

2-59 (2) may not include a provision that controls the
 2-60 content or execution of the resident's advance directive or
 2-61 testamentary documents.

2-62 Sec. 786.005. HEALTH AND SAFETY INVESTIGATIONS AND RESIDENT
 2-63 COMMUNICATIONS. A senior retirement community may not:

2-64 (1) prevent or inhibit a resident from or penalize a
 2-65 resident for communicating with a law enforcement officer, social
 2-66 worker, family member, or other interested person regarding the
 2-67 health and safety of residents of the senior retirement community;
 2-68 or

2-69 (2) prevent a law enforcement officer, court officer,

3-1 social worker, family member, or other invited person from entering
3-2 a common area of the senior retirement community to conduct a
3-3 voluntary interview with a resident as part of an investigation
3-4 into the health and safety of residents of the community or
3-5 regarding an incident at the community.

3-6 SECTION 2. (a) A senior retirement community is not
3-7 required to comply with Section 786.003, Health and Safety Code, as
3-8 added by this Act, before January 1, 2026.

3-9 (b) Section 786.004, Health and Safety Code, as added by
3-10 this Act, applies only to an agreement or contract entered into or
3-11 renewed on or after the effective date of this Act.

3-12 SECTION 3. This Act takes effect September 1, 2025.

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