

BILL ANALYSIS

Senate Research Center
78R11119 KEG-D

S.B. 100
By: Van de Putte
Health and Human Services
4/3/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Currently, carbon monoxide detectors are not required in certain child-care facilities and family homes. S.B. 100 would require each day-care, group day-care home, and family home to have carbon monoxide detectors which meet the requirements set by the Department of Protective and Regulatory Services relating to the placement, installation, number, and maintenance of those detectors.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Protective and Regulatory Services in SECTION 1 (Section 42.060, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 42C, Human Resources Code, by adding Section 42.060, as follows:

Sec. 42.060. CARBON MONOXIDE DETECTORS. (a) Defines “carbon monoxide detector.”

(b) Requires each day-care center, group day-care home, and family home to be equipped with carbon monoxide detectors in accordance with Department of Protective and Regulatory Services (DPRS) rules.

(c) Requires DPRS by rule to prescribe requirements regarding the placement, installation, and number of carbon monoxide detectors and maintenance procedures for those detectors.

SECTION 2. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective to January 1, 2004, notwithstanding Subsection (a) of this section.

LIST OF AMENDMENTS

COMMITTEE AMENDMENT NO. 1

Amends S.B. 100 as follows:

(1) Amend page 1, line 11, to strike “each” and substitute “Except as provided by Subsection (d), each”.

(2) Amend page 1, between lines 16 and 17, to insert a new Subsection (d), as follows:

(d) A day-care center is exempt from the carbon monoxide detector requirements prescribed by this section if the day-care center is located in a school facility that is subject to the school facility standards adopted by the commissioner of education under Section 46.008, Education Code (Standards), or similar safety standards adopted by the board of a local school district.