

By: Jones of Dallas

H.B. No. 867

A BILL TO BE ENTITLED

AN ACT

relating to air conditioning systems in certain facilities.

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

SECTION 1. Section 242.037, Health and Safety Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) An institution or a part of an institution for which construction is begun after August 31, 2003, including a facility converted to use as an institution after August 31, 2003, must have a central air conditioning system or a substantially similar air conditioning system that is capable of maintaining a temperature within the areas of the institution used by residents suitable for the comfort of the residents in accordance with the standards adopted by the board.

SECTION 2. Section 247.026, Health and Safety Code, is amended by adding Subsection (j) to read as follows:

(j) An assisted living facility or a part of an assisted living facility for which construction is begun after August 31, 2003, including a facility converted to use as an assisted living facility after August 31, 2003, must have a central air conditioning system or a substantially similar air conditioning system that is capable of maintaining a temperature within the areas of the institution used by residents suitable for the comfort of the residents in accordance with the standards adopted by the board.

1 SECTION 3. (a) The change in law made by this Act does not
2 apply to a newly constructed nursing institution or assisted living
3 facility for which a required construction permit was obtained from
4 the appropriate local political subdivision before September 1,
5 2003.

6 (b) The change in law made by this Act does not apply to a
7 facility converted to use as a nursing institution or assisted
8 living facility if the conversion of the facility is commenced
9 before September 1, 2003.

10 (c) A nursing institution or assisted living facility
11 described by Subsections (a) or (b) of this section is governed by
12 the law as it existed immediately before the effective date of this
13 Act, and that law is continued in effect for that purpose.

14 SECTION 4. This Act takes effect September 1, 2003.