

AN ACT

relating to coordinated inspection of certain child-care facilities for compliance with fire safety and sanitation standards.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.0443 to read as follows:

Sec. 42.0443. COORDINATION OF FIRE SAFETY AND SANITATION INSPECTIONS. (a) The department may not inspect a licensed day-care center, licensed group day-care home, or registered family home for compliance with the department's fire safety or sanitation standards if the facility, at the time of the department's inspection, provides the department with documentation relating to a current fire safety or sanitation inspection, as applicable, performed by a political subdivision of this state that indicates that the facility is in compliance with the applicable standards of the political subdivision.

(b) If the documentation provided under Subsection (a) indicates that the facility was required to take corrective action or that the political subdivision imposed a restriction or condition on the facility, the department shall determine whether the facility took the required corrective action or complied with the restriction or condition.

(c) The department may inspect a facility subject to this

1 section for compliance with the department's fire safety or
2 sanitation standards if:

3 (1) the facility does not provide the documentation
4 described by Subsection (a); or

5 (2) the department determines that the facility did
6 not take a corrective action or comply with a restriction or
7 condition described by Subsection (b).

8 (d) Notwithstanding any other provision of this section,
9 the department shall report to the appropriate political
10 subdivision any violation of fire safety or sanitation standards
11 observed by the department at a facility subject to this section.

12 (e) The department shall adopt rules necessary to implement
13 this section.

14 SECTION 2. This Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 2866 was passed by the House on May 2, 2003, by the following vote: Yeas 126, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2866 on May 30, 2003, by the following vote: Yeas 145, Nays 0, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2866 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor