

BILL ANALYSIS

H.B. 1099
By: Chavez
Border and International Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Department of State Health Services licenses and inspects migrant labor housing facilities with the standards for such facilities detailed in statute. However, concerns exist that the facilities are not thoroughly inspected on a routine basis, allowing housing designed to meet minimal standards to quickly fall into extremely poor, and on occasion unsanitary, condition.

House Bill 1099 would transfer the responsibility for the licensing and inspection of migrant labor housing facilities from the Department of State Health Services to the Department of Housing and Community Affairs.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is transferred to the board of the Department of Housing and Community Affairs in SECTION 1 (Secs. 2306.922 and 2306.931, Government Code) of this bill.

ANALYSIS

SECTION 1 Transfers Chapter 147, Health and Safety Code, to Chapter 2306, Government Code, redesignating it as Subchapter LL.

Amends Sec. 2306.929, Government Code, requiring the board of the Department of Housing and Community Affairs to set the license fee for a migrant labor housing facility in an amount not to exceed \$250.

Amends Sec. 2306.932, Government Code, to allow a migrant agricultural worker, or the worker's representative, to seek a temporary or permanent injunction to prohibit a person, including a person who owns or controls a migrant labor housing facility, from violating Subchapter LL, Government Code.

SECTION 2 Provides for the transfer of all powers and duties of the Health and Human Services Commission and the Department of State Health Services relating to the inspection and licensing of migrant labor housing facilities to the Department of Housing and Community Affairs.

The Department of Housing and Community Affairs shall adopt fees, rules, and standards as directed by Subchapter LL, Chapter 2306, Government Code, as transferred and redesignated by this Act, not later than January 1, 2006.

Requires the Department of Housing and Community Affairs to survey and research the quantity, availability, need, and quality of migrant labor housing facilities in the state and produce reports of its findings to the legislature not later than September 1, 2006.

SECTION 3. The effective date of this Act is September 1, 2005.

EFFECTIVE DATE

September 1, 2005

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