

By: Dunnam

H.B. No. 3348

A BILL TO BE ENTITLED

AN ACT

1
2 relating to admitting certain residents to nursing homes or related
3 institutions.

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

5 SECTION 1. Subchapter B, Chapter 242, Health and Safety
6 Code, is amended by adding Section 242.054 to read as follows:

7 Sec. 242.054. RESTRICTION ON ADMITTING REGISTERED SEX
8 OFFENDERS. (a) Before an institution admits a potential resident
9 to the institution, the institution shall determine whether the
10 person is required to register under Chapter 62, Code of Criminal
11 Procedure, by using the Internet website maintained by the
12 Department of Public Safety that contains the sex offender
13 database.

14 (b) An institution may not admit a potential resident who is
15 required to register as a sex offender under Chapter 62, Code of
16 Criminal Procedure, unless the institution meets the requirements
17 established by the executive commissioner of the Health and Human
18 Services Commission under Subsection (c).

19 (c) The executive commissioner shall adopt rules governing
20 institutions that may admit a resident who is a person required to
21 register as a sex offender under Chapter 62, Code of Criminal
22 Procedure. The rules must require an institution to provide a
23 separate and secure facility for those residents.

24 (d) The Health and Human Services Commission shall

1 establish an institution that meets the requirements of Subsection
2 (c) for the purpose of admitting residents that are required to
3 register as sex offenders under Chapter 62, Code of Criminal
4 Procedure.

5 SECTION 2. This Act takes effect September 1, 2005.