

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 6, 2005**

**TO:** Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB3348** by Dunnam (Relating to admitting certain residents to nursing homes or related institutions.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Subchapter B, Chapter 242, Health and Safety Code by adding Section 242.054 requiring a nursing facility to determine, by using the Texas Department of Public Safety (TxDPS) registered sex offender public database website, whether a potential resident is required to register as a convicted sex offender per Chapter 62, Code of Criminal Procedure. The Department of Aging and Disability Services indicated that the TxDPS Sex Offender website is a free search and as such represents no expense to nursing facilities beyond the workload of performing the searches against the public database.

A nursing facility would not be permitted to admit a registered sex offender unless the nursing facility meets certain requirements established in accordance with Sections 242.054 (c) and (d) of the bill. New sections 242.054 (c) and (d) require that the Health and Human Services (HHSC) Executive Commissioner adopt rules governing institutions that may admit registered sex offenders and those rules must require an institution to provide a separate and secure facility for sex offenders. HHSC is also required to establish an institution that meets the requirements of 242.054 (c) for the purpose of admitting registered sex offenders.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission, 539 Department of Aging and Disability Services

**LBB Staff:** JOB, CL, KF, ML