

BILL ANALYSIS

H.B. 288
By: Pickett
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The purpose of Chapter 247 of the Health and Safety Code is to ensure that assisted living facilities in Texas deliver the highest possible quality of care. Currently, the governing body of a municipality by ordinance may prohibit a person who does not hold a license issued under chapter 247 from establishing or operating an assisted living facility within the municipality. They may also establish a procedure for emergency closure of a facility if the facility is established or operating in violation of Section 247.021; and the continued operation of the facility creates an immediate threat to the health and safety of a resident of the facility. HB 288 would amend the Health and Safety Code by giving counties the same authority as municipalities have over assisted living facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 288 amends the Health and Safety Code by adding language giving the governing body of a county the same enforcement authority over assisted living facilities currently given to municipalities.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.