

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 1, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB893 by Nelson (Relating to the authority of a county to regulate and inspect day-care centers and group day-care homes; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Subchapter C to Chapter 234, Local Government Code, to authorize certain counties to require a day-care center or group day-care home located in an unincorporated area of the county to obtain a health and sanitation certificate from the county. A county health officer or designated official would be authorized to conduct an inspection of the day-care center or home before issuing a certificate. The county would be authorized to charge a fee to the center or home to cover the costs of the inspection.

The county commissioners court would be authorized to adopt rules as necessary to administer regulations. A district or county attorney would be authorized to bring suit to enjoin the operation of a day-care center or group day-care home in violation of the proposed statute or of a rule or order by the commissioners court. A violation of the applicable statute, rules, or orders would be a Class C misdemeanor. (The punishment for a Class C misdemeanor offense is a fine not to exceed \$500.)

The bill would add Subchapter D to Chapter 234, Local Government Code, to authorize a county health officer or official designated by the county commissioners court to contract with a municipality for the county to conduct an inspection required by the municipality of a day-care center or group day-care home located in the municipality.

The provisions of the bill would apply only to a county with a population of 700,000 or more, and therefore applies only to Bexar, Dallas, Harris, Tarrant, and Travis counties.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, CL, DB