

By: Burkett

H.B. No. 740

Substitute the following for H.B. No. 740:

By: Frank

C.S.H.B. No. 740

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the issuance and renewal of licenses and registrations
3 for certain child-care facilities and the amount of the fees for
4 those licenses.

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

6 SECTION 1. Section 42.048(f), Human Resources Code, is
7 amended to read as follows:

8 (f) A license must be issued if the department determines
9 that a facility meets all requirements. The evaluation shall be
10 based on one or more visits to the facility and a review of required
11 forms and records. A license is valid until [~~the license expires,~~
12 ~~is~~] revoked[~~7~~] or [~~is~~] surrendered.

13 SECTION 2. Section 42.050, Human Resources Code, is amended
14 to read as follows:

15 Sec. 42.050. LICENSE RENEWAL. (a) A license holder may
16 apply for [~~renewal of~~] a new license in compliance with the
17 requirements of this chapter and department rules.

18 (b) The application for [~~renewal of~~] a new license must be
19 completed and decided on by the department before the expiration of
20 the license under which a facility is operating.

21 (c) The department shall evaluate the application for
22 [~~renewal of~~] a new license to determine if all licensing
23 requirements are met. The evaluation may include a specified
24 number of visits to the facility and must include a review of all

1 required forms and records.

2 ~~[(d) The executive commissioner shall adopt rules governing~~
3 ~~the license renewal process for all licenses issued under this~~
4 ~~chapter. The rules must include:~~

5 ~~[(1) renewal periods;~~

6 ~~[(2) a process for staggered renewals;~~

7 ~~[(3) a process for resolving a late application for~~
8 ~~renewal;~~

9 ~~[(4) expiration dates; and~~

10 ~~[(5) conditions for renewal.]~~

11 SECTION 3. Sections 42.054(a), (b), (c), (d), and (e),
12 Human Resources Code, are amended to read as follows:

13 (a) The department shall charge an applicant a
14 nonrefundable application fee of \$35 for an initial license to
15 operate a child-care facility or a child-placing agency.

16 (b) The department shall charge each child-care facility a
17 fee of \$35 for an initial license. The department shall charge each
18 child-placing agency a fee of \$50 for an initial license.

19 (c) The department shall charge each licensed child-care
20 facility an annual license fee in the amount of \$35 plus \$1 for each
21 child the child-care facility is permitted to serve. The fee is due
22 on the date on which the department issues the child-care
23 facility's initial license and on the anniversary of that date.

24 (d) The department shall charge each licensed child-placing
25 agency an annual license fee of \$100. The fee is due on the date on
26 which the department issues the child-placing agency's initial
27 license and on the anniversary of that date.

1 (e) The department shall charge each family home that is
2 listed or registered with the department an annual fee to cover a
3 part of the department's cost in regulating family homes. The
4 amount of the fee is \$20 for a listed home or \$35 for a registered
5 home. The fee is due on the date on which the department initially
6 lists or registers the home and on the anniversary of that date.

7 SECTION 4. Section 42.054(h), Human Resources Code, is
8 repealed.

9 SECTION 5. The changes in law made by this Act apply only to
10 an application fee paid or license fee due on or after the effective
11 date of this Act. An application fee paid or license fee due before
12 that date is governed by the law in effect on the date the fee was
13 paid or due, as applicable, and that law is continued in effect for
14 that purpose.

15 SECTION 6. This Act takes effect September 1, 2017.