By:  Noble (Senate Sponsor - Kolkhorst, Johnson) H.B. No. 4090

(In the Senate - Received from the House May 6, 2019; May 6, 2019, read first time and referred to Committee on Health & Human Services; May 19, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; May 19, 2019, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Buckingham        X

Campbell          X

Flores            X

Johnson           X

Miles             X

Powell            X

Seliger           X

COMMITTEE SUBSTITUTE FOR H.B. No. 4090 By:  Flores

A BILL TO BE ENTITLED

AN ACT

relating to the licensing of certain school-age programs that provide child-care services.

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

SECTION 1.  Section 42.048, Human Resources Code, is amended by amending Subsections (a), (b), (c), (e), and (f) and adding Subsections (e-1), (e-2), and (e-3) to read as follows:

(a)  The commission [~~department~~] shall issue a license after determining that an applicant has satisfied all requirements.

(b)  When issuing a license, the commission [~~department~~] may impose restrictions on a facility, including the number of children to be served and the type of children to be served.

(c)  The commission [~~department~~] may grant a variance of an individual standard set forth in the applicable standards for good and just cause.

(e)  A license issued under this chapter is not transferable and applies only to the operator and facility location stated in the license application.  Except as provided by Subsections (e-1), (e-2), and (e-3) [~~this subsection~~], a change in location or ownership automatically revokes a license.

(e-1)  A change in location of a child-placing agency does not automatically revoke the license to operate the child-placing agency.

(e-2)  A residential child-care facility operating under the license of a continuum-of-care residential operation that changes location may not continue to operate under that license unless the commission [~~department~~] approves the new location after the continuum-of-care residential operation meets all requirements related to the new location.

(e-3)  A change in location of a school-age program operated exclusively during the summer period or any other time when school is not in session does not automatically revoke the license to operate the school-age program. A school-age program that changes location may not operate at the new location unless the commission approves the new location after the school-age program meets all requirements related to the new location.

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

SECTION 2.  This Act takes effect September 1, 2019.

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