

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

1 license of a continuum-of-care residential operation that changes
2 location may not continue to operate under that license unless the
3 commission [~~department~~] approves the new location after the
4 continuum-of-care residential operation meets all requirements
5 related to the new location.

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 4090 was passed by the House on May 3, 2019, by the following vote: Yeas 140, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4090 on May 24, 2019, by the following vote: Yeas 139, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4090 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor