

1-1 By: Noble (Senate Sponsor - Kolthorst, Johnson) H.B. No. 4090
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 6, 2019, read first time and referred to Committee on Health &
 1-4 Human Services; May 19, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 19, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 4090 By: Flores

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the licensing of certain school-age programs that
 1-22 provide child-care services.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 42.048, Human Resources Code, is amended
 1-25 by amending Subsections (a), (b), (c), (e), and (f) and adding
 1-26 Subsections (e-1), (e-2), and (e-3) to read as follows:

1-27 (a) The commission [~~department~~] shall issue a license after
 1-28 determining that an applicant has satisfied all requirements.

1-29 (b) When issuing a license, the commission [~~department~~] may
 1-30 impose restrictions on a facility, including the number of children
 1-31 to be served and the type of children to be served.

1-32 (c) The commission [~~department~~] may grant a variance of an
 1-33 individual standard set forth in the applicable standards for good
 1-34 and just cause.

1-35 (e) A license issued under this chapter is not transferable
 1-36 and applies only to the operator and facility location stated in the
 1-37 license application. Except as provided by Subsections (e-1),
 1-38 (e-2), and (e-3) [~~this subsection~~], a change in location or
 1-39 ownership automatically revokes a license.

1-40 (e-1) A change in location of a child-placing agency does
 1-41 not automatically revoke the license to operate the child-placing
 1-42 agency.

1-43 (e-2) A residential child-care facility operating under the
 1-44 license of a continuum-of-care residential operation that changes
 1-45 location may not continue to operate under that license unless the
 1-46 commission [~~department~~] approves the new location after the
 1-47 continuum-of-care residential operation meets all requirements
 1-48 related to the new location.

1-49 (e-3) A change in location of a school-age program operated
 1-50 exclusively during the summer period or any other time when school
 1-51 is not in session does not automatically revoke the license to
 1-52 operate the school-age program. A school-age program that changes
 1-53 location may not operate at the new location unless the commission
 1-54 approves the new location after the school-age program meets all
 1-55 requirements related to the new location.

1-56 (f) A license must be issued if the commission [~~department~~]
 1-57 determines that a facility meets all requirements. The evaluation
 1-58 shall be based on one or more visits to the facility and a review of
 1-59 required forms and records. A license is valid until the license
 1-60 expires, is revoked, or is surrendered.

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

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