

By: Reynolds

H.B. No. 4224

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a study to evaluate state and local regulation of group  
3 homes.

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

5 SECTION 1. (a) The Health and Human Services Commission  
6 shall conduct a study on state and local regulation of group homes.

7 (b) The study must:

8 (1) identify and evaluate state laws relating to the  
9 regulation of group homes, including:

10 (A) an assisted living facility, as defined by  
11 Section 247.002, Health and Safety Code;

12 (B) a boarding home facility, as defined by  
13 Section 260.001, Health and Safety Code; and

14 (C) a community home, described by Chapter 123,  
15 Human Resources Code;

16 (2) analyze the procedures for filing complaints  
17 against group homes and make recommendations to expedite complaint  
18 processes;

19 (3) analyze complaints filed against group homes after  
20 2009;

21 (4) analyze the enforcement authority over group homes  
22 granted to state and local governmental agencies, including the  
23 authority of counties and municipalities to enforce boarding home  
24 regulations;

1           (5) recommend whether additional state and local  
2 governmental enforcement authority over group homes is needed;

3           (6) recommend processes to expedite the licensing of  
4 and regulatory procedures for group homes;

5           (7) determine whether new categories of group homes  
6 should be licensed or regulated by state or local governmental  
7 agencies;

8           (8) discuss and recommend methods for identifying  
9 unlicensed group homes; and

10          (9) evaluate whether Section [260.011](#), Health and  
11 Safety Code, which prohibits a county or municipality from  
12 excluding boarding home facilities from residential areas by zoning  
13 and similar regulations, prevents certain counties and  
14 municipalities from regulating boarding home facilities.

15          (c) Not later than December 1, 2020, the Health and Human  
16 Services Commission shall prepare a written or electronic report  
17 that includes a summary of the results of the study conducted under  
18 this section and any legislative recommendations based on the study  
19 and submit the report to the governor, lieutenant governor, speaker  
20 of the house of representatives, and members of the standing  
21 committees of the senate and the house of representatives with  
22 jurisdiction over the Health and Human Services Commission.

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