

SENATE AMENDMENTS

2nd Printing

By: Noble

H.B. No. 4090

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 Subsection (e) and adding Subsections (e-1), (e-2), and
(e-3) to read as follows:

(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
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

1 operate the school-age program. A school-age program that changes
2 location may not operate at the new location unless the department
3 approves the new location after the school-age program meets all
4 requirements related to the new location.

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

ADOPTED

MAY 22 2019

Leta Spaw
Secretary of the Senate

By: Noble/Kolkhorst

____.B. No. ____

Substitute the following for ____B. No. ____:

By: Peter P. Flores

C.S. H.B. No. 4090

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

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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4090 by Noble (Relating to the licensing of certain school-age programs that provide child-care services.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: WP, SD, AKi, JQ, MNa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 19, 2019

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4090 by Noble (Relating to the licensing of certain school-age programs that provide child-care services.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: WP, AKi, JQ, MNa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 10, 2019

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4090 by Noble (Relating to the licensing of certain school-age programs that provide child-care services.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: WP, AKi, JQ, MNa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 14, 2019

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4090 by Noble (Relating to the licensing of certain school-age programs that provide child-care services.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: WP, AKi, JQ, MNa