| **House Bill 4090**Senate AmendmentsSection-by-Section Analysis |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| 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 operate the school-age program. A school-age program that changes location may not operate at the new location unless the department approves the new location after the school-age program meets all requirements related to the new location. | 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. | SECTION 2. Same as House version. |  |