

House Bill 4090
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

SENATE VERSION (CS)

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

CONFERENCE

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HOUSE VERSION

after the school-age program meets all requirements related to the new location.

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

SENATE VERSION (CS)

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. Same as House version.

CONFERENCE