

BILL ANALYSIS

S.B. 500
By: Miles
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Unlicensed boarding home facilities pose a serious threat to some of the most vulnerable Texans. These facilities often contain unsanitary and dangerous living conditions and are frequently tied to allegations of abuse, neglect, prostitution, and other crimes. State law currently allows municipalities and counties to require boarding home facilities to obtain a local permit. However, unpermitted facilities remain prevalent in many large counties as well as counties adjacent to large counties. It has been noted that the enforcement of these permitting requirements is difficult, given the reluctance of some judges to issue warrants for a permitting offense that is often deemed a low-level offense. S.B. 500 seeks to recognize the danger posed by unpermitted boarding home facilities by creating a Class B misdemeanor offense for the operation of an unpermitted boarding home facility.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 500 amends the Health and Safety Code to create a Class B misdemeanor offense for a person who operates a boarding home facility without a permit in a county or municipality that requires a person to obtain a permit to operate such a facility.

EFFECTIVE DATE

September 1, 2021.