

AN ACT

relating to the construction of certain assisted living facilities located within a floodplain in certain counties.

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

SECTION 1. Subchapter B, Chapter 247, Health and Safety Code, is amended by adding Section 247.0251 to read as follows:

Sec. 247.0251. CONSTRUCTION IN 100-YEAR FLOODPLAIN IN CERTAIN COUNTIES PROHIBITED. (a) In this section, "100-year floodplain" means an area that is subject to inundation by a 100-year flood, which is a flood that has a one percent or greater chance of occurring in any given year, as determined from maps or other data from the Federal Emergency Management Agency, or, if not mapped by the Federal Emergency Management Agency, from the United States Department of Agriculture soil maps.

(b) In a county with a population of 3.3 million or more, the executive commissioner by rule shall prohibit the construction of a new assisted living facility licensed under this chapter within a 100-year floodplain.

(c) The prohibition on new construction under this section does not apply to expansions or renovations of existing assisted living facilities.

SECTION 2. Section 247.0251, Health and Safety Code, as added by this Act, applies only to the construction of a new assisted living facility that begins on or after the effective date

H.B. No. 1681

1 of this Act.

2 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 1681 was passed by the House on May 5, 2021, by the following vote: Yeas 130, Nays 15, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1681 on May 28, 2021, by the following vote: Yeas 114, Nays 33, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1681 was passed by the Senate, with amendments, on May 25, 2021, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor