

1-1 By: Seliger, Gutierrez S.B. No. 2188
 1-2 (In the Senate - Filed April 6, 2021; April 6, 2021, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 14, 2021, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 14, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the municipal or county regulation of residential
 1-20 detention facilities for immigrant or refugee children.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 250, Local Government Code, is amended
 1-23 by adding Section 250.011 to read as follows:

1-24 Sec. 250.011. RESIDENTIAL IMMIGRANT OR REFUGEE CHILD
 1-25 DETENTION FACILITIES. (a) In this section, "residential child
 1-26 detention facility" means a private facility that operates under a
 1-27 contract with the United States Immigration and Customs
 1-28 Enforcement, the United States Department of Health and Human
 1-29 Services, or another federal agency to provide 24-hour custody or
 1-30 care to unaccompanied immigrant or refugee children.

1-31 (b) A municipality or a county may adopt and enforce an
 1-32 ordinance, order, or other regulation that requires a residential
 1-33 child detention facility to:

1-34 (1) provide adequate water, wastewater, or other
 1-35 utilities for the facility; and

1-36 (2) meet reasonable minimum standards that promote the
 1-37 health, safety, and welfare of the residents of the facility.

1-38 (c) A county may not regulate under Subsection (b) a
 1-39 facility that is located in the corporate boundaries of a
 1-40 municipality.

1-41 (d) Before entering into a contract with a federal agency to
 1-42 operate as a residential child detention facility, the owner or
 1-43 operator of the proposed residential child detention facility must:

1-44 (1) provide notice of the proposed facility to:

1-45 (A) if the facility is located in a municipality,
 1-46 the governing body of the municipality; or

1-47 (B) if the facility is located in the
 1-48 unincorporated area of a county, the commissioners court of the
 1-49 county; and

1-50 (2) meet any requirements adopted by the municipality
 1-51 or county under Subsection (b).

1-52 SECTION 2. This Act takes effect September 1, 2021.

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