

## **BILL ANALYSIS**

S.B. 189  
By: Miles  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In September 2020, a 911 response to a rogue boarding home in Harris County revealed that a three-bedroom, one-bathroom, single-family residence was housing almost 40 individuals in poor condition. The investigation determined that some residents were suffering from gaping wounds and obvious neglect, and some residents reported allegations of coerced sexual acts and prostitution. The investigation further revealed that the building owner had knowledge of this mistreatment of residents by the home's lessee operator but declined to report it. Law enforcement, group home operators, and other stakeholders have corroborated that this sort of situation is an all-too-common aspect of this industry. S.B. 189 seeks to address this issue by creating a Class A misdemeanor offense for the owner of a building who leases a building to a person who operates a boarding home facility in the building and has actual knowledge of abuse, neglect, or exploitation of a facility resident but who fails to appropriately report that conduct.

### **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. 189 amends the Health and Safety Code to create the Class A misdemeanor offense for a person who meets the following criteria:

- owns a building that the person leases to another person who operates a boarding home facility in the building;
- has actual knowledge that a resident of the boarding home facility is being or has been abused, neglected, or exploited; and
- fails to report the abuse, neglect, or exploitation to the Department of Family and Protective Services for investigation by that agency.

### **EFFECTIVE DATE**

September 1, 2023.