By:  Bernal H.B. No. 5194

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to impose a fee related to building, zoning, or operating certain child-care businesses.

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

SECTION 1.  Chapter 250, Local Government Code, is amended by adding Section 250.014 to read as follows:

Sec. 250.014.  FEE TO OPERATE CERTAIN CHILD-CARE BUSINESSES PROHIBITED. (a) In this section, "child-care facility", "day-care center", "family home", and "group day-care home" have the meanings assigned by Section 42.002, Human Resources Code, with the exception of an entity for which subsection 11.20(c) of the Property Tax Code applies.

(b)  Notwithstanding any other law, a municipality or county may not require a person or organization to pay a fee related to building, zoning, or operating a licensed child-care facility or day-care center.

(c)  Notwithstanding any other law, a municipality or county may not require a person or organization to pay a fee related to zoning or operating a family home or group day-care home.

(d)  This section shall not be construed to relieve a licensed child-care facility, day-care center, family home, or group day-care home from acquiring the permits and inspections required by a municipality or county for building, rezoning, or operating.

SECTION 2.  This Act takes effect September 1, 2023.