

By: Lalani

H.B. No. 119

A BILL TO BE ENTITLED

AN ACT

relating to emergency preparedness and contingency operations plans, inspections, and enforcement for senior retirement communities.

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

SECTION 1. Chapter 786, Health and Safety Code, as added by Chapter 495 (S.B. 1283), Acts of the 89th Legislature, Regular Session, 2025, and effective September 1, 2025, is amended by adding Section 786.004 to read as follows:

Sec. 786.004. EMERGENCY PREPAREDNESS AND CONTINGENCY OPERATIONS PLAN; INSPECTION; ENFORCEMENT. (a) In this section, "area of refuge" means a climate-controlled area in a senior retirement community that is designated for use to provide safety, care, and other resources to residents during a power outage or other emergency that does not require evacuation of the facility's residents or other occupants.

(b) A senior retirement community shall adopt and implement an emergency preparedness and contingency operations plan that requires the community in the event of a power outage to provide:

(1) an area of refuge with at least 15 square feet for each resident; and

(2) notice to the appropriate local fire marshal of an unplanned interruption or loss for more than 12 hours of electric utility service.

1 (c) An emergency preparedness and contingency operations
2 plan adopted in accordance with this section must require a senior
3 retirement community to maintain a temperature between 68 and 82
4 degrees Fahrenheit in each area of refuge designated for use in the
5 event of a power outage.

6 (d) A senior retirement community shall at least once each
7 calendar year request and submit to an inspection by the
8 appropriate local fire marshal to verify compliance with the
9 requirements of this section. The fire marshal may conduct the
10 inspection in conjunction with an inspection verifying compliance
11 with applicable fire and life safety codes. In conducting the
12 inspection, the fire marshal shall:

13 (1) review the emergency power components of the
14 community's emergency preparedness and contingency operations
15 plan;

16 (2) verify the community's secondary power supply and
17 related equipment are maintained and operational;

18 (3) document any deficiencies discovered during the
19 inspection and issue written orders for the community to correct
20 those deficiencies within a reasonable time; and

21 (4) conduct any necessary subsequent inspection to
22 verify completion of any required corrective actions.

23 (e) A municipality, county, or emergency services district
24 may impose a penalty or other enforcement action against a senior
25 retirement community that violates this section as if the community
26 violated the applicable fire code.

27 SECTION 2. Section [34.0202](#), Utilities Code, is amended to

1 read as follows:

2 Sec. 34.0202. PURPOSE. The purpose of this subchapter is to
3 facilitate and provide funding for the design, procurement,
4 installation, and use of Texas backup power packages to ensure the
5 reliability or adequacy of an electric power grid in this state for
6 facilities on which communities rely for health, safety, and
7 well-being, including facilities operated by senior retirement
8 communities, as defined by Section 786.001, Health and Safety Code.

9 SECTION 3. This Act takes effect on the 91st day after the
10 last day of the legislative session.