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| BILL ANALYSIS |

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| S.B. 1283 |
| By: Parker |
| Human Services |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  The bill sponsor has informed the committee that at least two dozen senior women were recently murdered in Dallas area senior living facilities by serial killer Billy Chemirmir. The sponsor has further informed the committee that Chemirmir used his employment with those facilities to access the rooms of the victims to smother them to death with a pillow and that his criminal history would have precluded him from employment in these facilities, but a lack of sufficient background checks led to his ability to access and murder his victims. S.B. 1283 enhances the safety and security of residents living in senior retirement communities by establishing clear guidelines for preventing and responding to criminal activity. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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. 1283 amends the Health and Safety Code to provide for the regulation of a senior retirement community, defined by the bill as a residential community or a portion of such a community that meets the following criteria:   * qualifies for the elderly exemption under the Texas Fair Housing Act provisions relating to familial status; * contains not fewer than 20 residential units in one or more multiunit buildings that are available to own, rent or lease; and * provides common amenities.   S.B. 1283 requires each senior retirement community to do the following:   * conduct a criminal history record check for each community employee using the Department of Public Safety's computerized criminal history system; * disclose in the senior retirement community contract whether the community requires each business hired by the retirement community to provide services at the community to conduct a criminal history record check of each employee of the business who will provide services at the community; and * maintain a resident safety and communications policy regarding criminal activity that poses a risk to residents, which must require the community to send to each resident and post in a conspicuous manner at a location on the premises where the community posts other notices a written notice containing information on the following: * known reports of potential criminal activity made to law enforcement from or at the community not later than two business days after the date the report is made; and * known instances of criminal trespassing at the community not later than two business days after the trespassing is reported or occurs.   For purposes of providing that notice relating to such a reportable incident, the community may provide for the removal of the personal identifying information of an individual involved in the reportable incident to prevent the individual's identification but may not refuse to provide the notice based solely on concerns related to the disclosure of the individual's personal identifying information. The bill prohibits a community from being held civilly or criminally liable for the community's compliance with the bill's requirements to conduct criminal history record checks for community employees and maintain a resident safety and communications policy.  S.B. 1283 prohibits a senior retirement community from preventing or inhibiting a resident from or penalizing a resident for communicating with a law enforcement officer (LEO), social worker, family member, or other interested person regarding the community's safety and security. The bill also prohibits the community from preventing an LEO or court officer from entering a common area of the community to conduct a voluntary interview with a resident as part of an investigation into criminal activity at the community.  S.B. 1283 does not apply to the following:   * a health care institution as defined by Civil Practice and Remedies Code provisions relating to medical liability; * a boarding home facility issued a permit under the Health and Safety Code; * a supportive housing facility for elderly individuals operated under the federal National Housing Act; * a center for independent living as defined by the federal Rehabilitation Act of 1973; or * any other facility that is regulated by the Health and Human Services Commission or in accordance with rules adopted by the federal Centers for Medicare and Medicaid Services.   S.B. 1283 defines the following terms in addition to the senior retirement community definition:   * "common amenity" as an amenity or service offered or provided to residents of a multiunit residential property; * "resident" as an individual who resides in a senior retirement community as a unit owner or tenant; * "senior retirement community contract" as a contract with a resident of a senior retirement community for providing a common amenity to the resident; and * "unit" as a physical portion of a residential property designated for separate ownership or occupancy. |
| **EFFECTIVE DATE**  September 1, 2025. |