**BILL ANALYSIS**

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| Senate Research Center | C.S.S.B. 2623 |
| 89R23777 DRS-D | By: Creighton |
|  | Education K-16 |
|  | 4/8/2025 |
|  | Committee Report (Substituted) |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The proximity of facilities providing homeless services near schools has raised concerns among communities about the safety and well-being of students. While these services are essential to support vulnerable populations, their close proximity to schools requires action to maintain a safe and secure environment for students, families, and communities.

S.B. 2623 would define "school safety zones" as the area included in a 1.5 mile radius from a public school's property line. Within these zones, facilities providing "homeless services" would be prohibited from operating. "Homeless services" are defined in the bill.

The attorney general is tasked with enforcement of violations of the legislation. Offending municipalities or counties would have their sales tax collections halted, a prohibition on adoption of a tax rate over the no-new-revenue rate, and a civil penalty of $50,000 each day after they have received notice of violation.

The bill also establishes a School Safety Zones Task Force, consisting of representatives from the Department of Public Safety, the Office of the Attorney General, the Texas Education Agency, and the Texas Department of Licensing and Regulation. The task force will identify facilities in school safety zones. A report will be provided not later than January 1 of every odd-numbered year containing recommendations related to the provision of homeless services in a school safety zone.

(Original Author/Sponsor's Statement of Intent)

C.S.S.B. 2623 amends current law relating to establishment and enforcement of school safety zones and provides a civil penalty.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle C, Title 11, Local Government Code, by adding Chapter 370A, as follows:

CHAPTER 370A. ENFORCEMENT OF SCHOOL SAFETY ZONES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 370A.001. DEFINITIONS. Defines "emergency care," "institution of higher education," "navigation services," "premises," "school safety zone," "service provider," and "task force."

Sec. 370A.002. APPLICABILITY OF CHAPTER. Provides that this chapter applies only to the provision of navigation services by a service provider using public funds to provide the services.

SUBCHAPTER B. SAFE SCHOOLS AND NEIGHBORHOODS TASK FORCE

Sec. 370A.051. TASK FORCE. (a) Provides that the safe schools and neighborhoods task force (task force) is established and is composed of 10 members appointed by the governor, including persons representing certain entities.

(b) Requires the governor to appoint one member of the task force to serve as chair.

Sec. 370A.052. DUTIES. Requires the task force to:

(1) identify each facility in this state providing navigation services within 1,500 feet of a school safety zone;

(2) for each facility identified under this section:

(A) notify certain entities in which the facility is located;

(B) identify the service provider operating the facility and the specific services being provided at the facility;

(C) provide written notice to the facility and the service provider that, if the task force determines that the facility is providing navigation services within 1,500 feet of a school safety zone in violation of Section 370A.102, the service provider is required to stop providing navigation services at the facility not later than the 30th day after the date the service provider receives the written notice or be subject to the penalties provided by Section 370A.103; and

(D) determine whether a service provider that is required by Section 370A.102 to stop providing navigation services at the facility has stopped providing the services within the 30-day period prescribed by that section and give notice of the task force's determination to the municipality or county, as applicable, in which the facility is located; and

(3) develop and make certain legislative recommendations relating to the provision of navigation services.

Sec. 370A.053. REPORT. (a) Requires the task force, not later than January 1 of each even-numbered year, to provide a written report of the legislative recommendations of the task force described by Section 370A.052(3) to the governor, lieutenant governor, and each member of the legislature.

(b) Requires the task force to provide the initial written report required by Subsection (a) not later than September 1, 2026. Provides that this subsection expires January 1, 2027.

Sec. 370A.054. RECOMMENDATIONS ON LICENSING OF NAVIGATION SERVICES PROVIDERS. Requires the task force, in consultation with the Texas Department of Housing and Community Affairs (TDHCA) and the Department of State Health Services, to develop recommendations on legislation to require a service provider to obtain a license from TDHCA to operate. Requires that any recommendations developed under this section be included in the task force's initial report under Section 370A.053. Provides that this section expires January 1, 2027.

SUBCHAPTER C. NAVIGATION SERVICES PROHIBITED NEAR SCHOOL SAFETY ZONES

Sec. 370A.101. APPLICABILITY OF SUBCHAPTER. Provides that this subchapter does not apply to navigation services provided at certain locations or facilities.

Sec. 370A.102. PROHIBITION. (a) Prohibits a service provider from providing navigation services within 1,500 feet of a school safety zone.

(b) Requires a service provider that receives notice from the task force under Section 370A.052(2)(C) of the task force's determination that a facility operated by the service provider is providing navigation services within 1,500 feet of a school safety zone in violation of this section, to stop providing navigation services at the facility not later than the 30th day after the date the service provider receives the notice.

(c) Requires a municipality or county that receives notice from the task force under Section 370A.052(2)(D) of the task force's determination that a facility has failed to stop providing navigation services within the 30-day period prescribed by Subsection (b), not later than the seventh day after the date the municipality or county receives the notice, to take certain actions.

Sec. 370A.103. ENFORCEMENT. (a) Provides that a service provider that the attorney general determines has violated Section 370A.102(a) and that does not stop providing navigation services as ordered under Section 370A.102(c) is liable to this state for a civil penalty of $5,000 for each day after the date the service provider receives an order under Section 370A.102(c).

(b) Authorizes the attorney general to bring an action for injunctive relief or to recover a civil penalty under this section and to direct the secretary of state to revoke or terminate a service provider's registration or certificate of formation.

(c) Provides that governmental immunity to suit and from liability is waived to the extent of liability created by this section.

(d) Authorizes the attorney general to recover reasonable attorney's fees and court costs incurred in bringing an action under this section.

Sec. 370A.104. PROHIBITION ON CERTAIN INDEPENDENT SCHOOL DISTRICT CAMPUS LOCATIONS. (a) Prohibits an independent school district from locating a new campus within 1,500 feet of a facility that is providing navigation services and at which the service provider operating the facility intends to provide navigation services at the time the new independent school district campus is open to students.

(b) Prohibits an independent school district from reopening a closed campus or other property serving students of the district if the campus or other property is located within 1,500 feet of a facility providing navigation services.

(c) Requires a school district board of trustees to consult with the task force to implement this section.

SECTION 2. Requires the governor, as soon as practicable after the effective date of this Act, appoint members to the task force established by Section 370A.051, Local Government Code, as added by this Act.

SECTION 3. Effective date: September 1, 2025.