

## **BILL ANALYSIS**

Senate Research Center  
89R22863 DNC-F

H.B. 3597  
By: Hickland (Kolkhorst)  
Health & Human Services  
5/9/2025  
Engrossed

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

Law enforcement representatives in certain regions report increased resources spent responding to and dealing with community complaints concerning the behavior of children and adolescents in the conservatorship of the state placed in residential facilities.

Current law requires applicants seeking to operate or expand a general residential operation, cottage home operation, or continuum-of-care residential operation in counties with a population under 300,000 to hold a public hearing and publish notice of the application in a local newspaper, which must include relevant details about the applicant and hearing, along with a statement informing the public of the option to submit comments concerning the application.

H.B. 3597 seeks to allow law enforcement in certain counties to offer valuable input and feedback and ensure communities are better prepared to support these placements by raising the current county population threshold that triggers the public hearing requirements for issuing a license for or expanding certain residential child-care facilities from less than 300,000 to less than 500,000.

H.B. 3597 amends current law relating to public hearing requirements for issuing a license for or expanding certain residential child-care facilities.

### **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 Section 42.0461(a), Human Resources Code, as follows:

(a) Provides that before the Health and Human Services Commission (HHSC), rather than the Department of Family and Protective Services (DFPS), is authorized to issue a license or certificate for the operation or the expansion of the capacity of a general residential operation, a cottage home operation, or a continuum-of-care residential operation that is located in a county with a population of less than 500,000, rather than 300,000, the applicant for the license, certificate, or expansion is required to, at the applicant's expense, perform certain actions, including conducting a public hearing on the application in accordance with HHSC rules after notifying HHSC of the date, time, and location of the hearing. Makes conforming changes.

SECTION 2. Effective date: September 1, 2025.