

BILL ANALYSIS

C.S.H.B. 3597
By: Hickland
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, over the past several months, local law enforcement agencies have brought to the author's attention the lack of communication between the Department of Family and Protective Services and law enforcement when children under state conservatorship are placed in emergency shelters or general residential operations in Belton or Temple and have expressed frustration over the significant diversion of resources required to respond to the high volume of calls from these 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. The bill author has further informed the committee that public input on the availability of local resources and potential effects on the community is considered before a license is issued and, if these factors indicate a significant adverse impact, the application may be denied. C.S.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.

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

C.S.H.B. 3597 amends the Human Resources Code to raise from 300,000 to 500,000 the county population threshold below which certain public notice and hearing requirements apply to an applicant for 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 such a county. The bill replaces references to the Department of Family and Protective Services (DFPS) with references to the Health and Human Services Commission (HHSC) to clarify HHSC as the agency issuing the license and whose rules the required hearing must be conducted in accordance with after notifying the agency of the date, time, and location of the hearing.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3597 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute replaces references to DFPS in provisions setting out public hearing requirements for issuing a license for or expanding certain residential child-care facilities with references to HHSC, whereas the introduced did not replace these references.