

BILL ANALYSIS

Senate Research Center

S.B. 599
By: West
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Health and Human Services Commission (HHSC) establishes comprehensive statewide minimum standards for the health and safety of childcare facilities and registered family homes in Chapter 42 of the Human Resource Code. The code requires each childcare facility and registered family home to earn a license issued by the department. Additional HHSC responsibilities include collecting and publishing data on reported incidents in licensed day-care centers that impair the basic safety, health, or welfare of a child. Incidents refer to the number of violations, children's serious injuries, etc. Other components of the code include ensuring that there are qualified personnel, proper distribution of medication, safe homes, and food that meets the Child and Adult Care Food Program's standards.

In some Texas cities, municipal code enforcement is requiring licensed childcare homes and registered family homes to modify their facilities beyond the scope of state-level childcare regulation. Additionally, some Texas cities are restricting childcare center capacity beyond the restrictions in state standards. Childcare facilities and registered family homes need regulatory certainty.

S.B. 599 prohibits a political subdivision from requiring a licensed childcare home or registered family home to comply with health and safety standards that exceed those already set forth by HHSC. It will ensure that childcare facilities can prevent incurring more costs, remain open, and have regulatory certainty.

As proposed, S.B. 599 amends current law relating to the authority of a political subdivision to regulate a licensed child-care facility or registered family home.

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 Chapter 250, Local Government Code, by adding Section 250.014, as follows:

Sec. 250.014. LICENSED CHILD-CARE HOME, REGISTERED OR LISTED FAMILY HOME REGULATORY CERTAINTY. (a) Prohibits a political subdivision from adopting or enforcing an ordinance, order, or other measure that requires a licensed child-care home or family home registered or listed under Chapter 42 (Regulation of Certain Facilities, Homes, and Agencies That Provide Child-care Services), Human Resources Code, to comply with health and safety standards that exceed those set forth in statute or by rule of the Texas Health and Human Services Commission.

SECTION 2. Effective date: upon passage or September 1, 2025.