

BILL ANALYSIS

Senate Research Center
89R23125 SCR-F

C.S.S.B. 1283
By: Parker
Health & Human Services
4/15/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Between 2016 and 2018, at least two dozen senior women were murdered in Dallas area senior living facilities by serial killer Billy Chemirmir. Chemirmir was employed by several facilities as a maintenance worker. He used his employment to access the rooms of the victims to smother them to death with a pillow. Chemirmir had a criminal history that would have precluded him from employment in these facilities—so he used a fake ID to pass minimal checks or was not checked at all. Lack of sufficient background checks directly 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. This bill mandates criminal history background checks for employees of senior retirement communities, requires transparency in whether third-party service providers also conduct such checks, and enforces a communication policy to keep residents informed about criminal incidents and trespassing within their communities. By setting these standards, this bill aims to create a safer living environment for seniors while ensuring they remain informed about potential risks to their well-being.

Additionally, S.B. 1283 upholds the rights of residents to communicate freely with law enforcement, social workers, and family members regarding safety concerns without fear of retaliation from the retirement community. It also ensures that law enforcement officers can access common areas to conduct investigations as needed. By preventing undue restrictions on reporting crime and fostering a culture of transparency, S.B. 1283 seeks to empower seniors, promote accountability among retirement community operators, and ultimately reduce the risk of criminal activity within these communities.

Committee Substitute

The substitute seeks to clean up mostly non-substantive issues to make this bill more operational for the facilities. These include:

- removing the list of amenities as to not unnecessarily narrow the scope;
- harmonize the definitions of "residents" and "senior retirement community" by adding owners to the definition of "senior retirement community;"
- modify the language to state "business hired by the retirement community" rather than "business that will provide services" as many of the residents will hire their own folks in that the facilities may not be aware of; and
- makes the notification about trespass to be about "criminal trespass" to align the bill with other areas of code and to protect the residents from danger while not overly burdening the facilities.

C.S.S.B. 1283 amends current law relating to resident safety from criminal activity in senior retirement communities.

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 B, Title 9, Health and Safety Code, by adding Chapter 786, as follows:

CHAPTER 786. SENIOR RETIREMENT COMMUNITIES

Sec. 786.001. DEFINITIONS. Defines "common amenity," "resident," "senior retirement community," "senior retirement community contract," and "unit."

Sec. 786.002. EXEMPTIONS. Provides that this chapter does not apply to certain facilities and institutions.

Sec. 786.003. REQUIREMENTS RELATING TO RESIDENT SAFETY FROM CRIMINAL ACTIVITY. (a) Requires a senior retirement community to:

(1) conduct for each retirement community employee a criminal history record check using the computerized criminal history system maintained by the Department of Public Safety of the State of Texas;

(2) disclose in the senior retirement community contract whether the retirement community requires each business hired by the retirement community to provide services at the retirement community to conduct a criminal history record check of each of the business's employees who will provide services at the retirement community; and

(3) maintain a resident safety and communications policy regarding criminal activity that poses a risk to residents, which is required to require the retirement community to send to each resident and post in a conspicuous manner at a location on the retirement community premises where the retirement community posts other community notices a written notice containing information on known reports of potential criminal activity made to law enforcement from or at the retirement community not later than two business days after the date the report is made and known instances of criminal trespassing at the retirement community not later than two business days after the trespassing is reported or occurs.

(b) Provides that the retirement community, for purposes of providing notice under the policy adopted by a senior retirement community under Subsection (a)(3) relating to a reportable incident described by that subdivision, is authorized to provide for the removal of the personal identifying information of an individual who is involved in the reportable incident to prevent the individual's identification and is prohibited from refusing to provide the notice based solely on concerns related to the disclosure of the individual's personal identifying information.

(c) Prohibits a senior retirement community from being held civilly or criminally liable for the retirement community's compliance with Subsection (a)(1) or (3).

(d) Prohibits a senior retirement community from:

(1) preventing or inhibiting a resident from or penalizing a resident for communicating with a law enforcement officer, social worker, family member, or other interested person regarding the safety and security of the retirement community; or

(2) preventing a law enforcement officer or court officer from entering a common area of the retirement community to conduct a voluntary interview with a resident as part of an investigation into criminal activity at the retirement community.

SECTION 2. Effective date: September 1, 2025.