

BILL ANALYSIS

S.B. 1681
By: Menéndez
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has further informed the committee that boarding home facilities are regulated at the local level through ordinances, however, because some municipalities have not adopted particular Health and Human Services Commission (HHSC) standards, they are not required to report information to HHSC and as a result, there is a general lack of information about the operations of boarding home facilities in this state. S.B. 1681 seeks to provide a clearer understanding of what is going on within Texas boarding home facilities and to ensure residents of those facilities are safe.

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 rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

S.B. 1681 amends the Health and Safety Code to require each county or municipality that regulates boarding home facilities, including a county or municipality that requires a person to obtain a permit to operate a boarding home facility, to submit to the Health and Human Services Commission (HHSC) in the form and manner HHSC requires a written report not later than September 30 of each year that includes the following:

- the county's or municipality's standards or ordinances applicable to boarding home facilities in effect on the date the report is submitted;
- any policies or procedures the county or municipality requires to consider a resident's or prospective resident's reasonable accommodation request;
- during the preceding year, the total number of:
 - reasonable accommodation requests received, approved, and rejected, including the reason a request was rejected;
 - complaints or actions brought against a boarding home facility located in the county or municipality related to a violation of federal or state fair housing laws; and
 - boarding home facility closures, including the reason a facility closed and the accommodations provided to the facility's former residents;
- information on any activities the county or municipality performs to support the operators of boarding home facilities in complying with applicable regulations; and
- a summary of complaints the county or municipality receives against boarding home facilities located in the county or municipality.

The bill requires each county or municipality to report to HHSC any updates made to the standards or ordinances after the report is submitted in the form and manner HHSC requires. A county or municipality is not required to submit such a report until September 30, 2026.

S.B. 1681 authorizes the executive commissioner of HHSC to adopt rules as necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2025.