

By: West

S.B. No. 1402

A BILL TO BE ENTITLED

AN ACT

relating to group home registration with municipal police departments or county sheriff's departments and welfare checks on group home residents; providing a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 769, Health and Safety Code, as added by Chapter 141 (S.B. 188), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Sections 769.004 and 769.005 to read as follows:

Sec. 769.004. GROUP HOME REGISTRATION REQUIRED; CIVIL PENALTY. (a) Not later than the 60th day after the date a group home begins operating, the owner or operator of the group home shall:

(1) for a group home located in a municipality, register with:

(A) the municipality's police department; or

(B) the sheriff's department of the county in which the group home is located if the municipality does not have a police department; or

(2) for a group home located in the unincorporated area of a county, register with the sheriff's department of the county.

(b) The registration required by Subsection (a) must:

(1) be in the form and manner prescribed by the

1 municipal police department or sheriff's department, as
2 applicable; and

3 (2) include:

4 (A) contact information for the owner or operator
5 of the group home; and

6 (B) emergency contact information for another
7 group home representative if the contact information used during an
8 emergency is different than the contact information for the owner
9 or operator.

10 (c) A group home that violates Subsection (a) is liable for
11 a civil penalty of \$2,500 for the first violation. Each day a
12 violation continues is considered a separate violation, and the
13 group home is liable for a civil penalty of \$100 for each subsequent
14 day the violation continues.

15 (d) The municipality or county served by the police or
16 sheriff's department with which the group home is required to
17 register may bring an action to recover the civil penalty
18 authorized by Subsection (c). The municipality or county may
19 recover court costs and attorney's fees incurred in bringing the
20 action if the municipality or county prevails in the action.

21 Sec. 769.005. WELFARE CHECKS. Notwithstanding any other
22 law, a municipal police department or a sheriff's department may
23 conduct periodic welfare checks on residents of group homes
24 required to register with the department under this chapter.

25 SECTION 2. It is the intent of the 89th Legislature, Regular
26 Session, 2025, that the amendments made by this Act be harmonized
27 with another Act of the 89th Legislature, Regular Session, 2025,

1 relating to nonsubstantive additions to and corrections in enacted
2 codes.

3 SECTION 3. Not later than November 1, 2025, each group home
4 in this state that began operating before the effective date of this
5 Act shall register with a municipal police department or sheriff's
6 department, as applicable, as required by Section 769.004, Health
7 and Safety Code, as added by this Act.

8 SECTION 4. This Act takes effect September 1, 2025.