

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 20, 2025

TO: Honorable Cecil Bell, Chair, House Committee on Intergovernmental Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2623 by Creighton (relating to establishment and enforcement of school safety zones; providing a civil penalty.), **Committee Report 2nd House, Substituted**

Passage of the bill would prohibit the provision of navigation services within 1,500 feet of a school safety zone, as defined by the bill. It is unknown if the provisions of the bill would apply to navigation services provided to students and their families at schools by non-governmental entities through state funding. As a result, the fiscal impact of the bill cannot be determined. There would be indeterminate costs to the Safe Schools and Neighborhoods Task Force to implement the provisions of the bill.

The bill would define a "school safety zone" as the premises of an independent school district campus that does not operate an adult education program, an institution of higher education, or a park. The bill would define "navigation services" to mean services that assist individuals experiencing homelessness to access shelter, meals, medical care, substance abuse treatment, mental health services, employment resources, housing placement, and other services necessary for reintegration into stable living conditions, and does not include the provision of emergency or inpatient care as defined by the bill. The bill would define "service provider" to mean an organization or government-funded facility operator that provides navigation services. The provisions of the bill would only apply to navigation services provided by a service provider using public funds to provide the services.

The bill would establish the Safe Schools and Neighborhoods Task Force, consisting of 11 members appointed by the Governor. The task force would be responsible for identifying each facility in this state providing navigation services within 1,500 feet of a school safety zone and notify the municipality in which the facility is operating, or the county in which the facility is operating if it is in an unincorporated area of the county. The task force would be required to identify the service provider operating the facility and the specific services being provided. If the task force determined that the facility is providing navigation services within 1,500 feet of a school safety zone in violation of the provisions of the bill, the task force would be provided to deliver written notice to the facility and service provider of the violation and that the service provider is required to stop providing navigation services at the facility within 30 days or be subject to penalties.

The task force would be required to develop legislative recommendations related to the provision of navigation service and provide a written report to Governor, Lieutenant Governor, and each member of the legislature not later than January 1 or each even-numbered year. In consultation with the Texas Department of Housing and Community Affairs (TDHCA) and the Department of State Health Services, the task force would be required to develop recommendations on legislation to require a service provider to obtain a license from TDHCA.

The bill would prohibit the provision of navigation services by a service provider within 1,500 feet of a school safety zone with some exceptions as provided by the bill. A municipality or county that receives notice from the task force that a facility did not discontinue providing services within 30 days of being notified by the task force is required to stop providing services if the facility is operated by the municipality or county; or if the facility is operated by a provider organization, direct the police or sheriff's department to order the provider organization to stop providing homeless services at the facility.

A service provider that the Attorney General determines to be violating this prohibition that does not stop providing navigation services would be liable to the state for a civil penalty not to exceed \$5,000 for each day after the date the organization receives an order to stop providing homeless services. The Attorney General would be authorized to bring an action to recover a civil penalty and direct the Secretary of State to revoke or terminate the organization's registration or certificate of formation.

The bill would prohibit an independent school district from locating a new campus within 1,500 feet of a facility that is providing navigation services or that intends to provide navigation services at the time the new campus is open to students. An independent school district would be prohibited from reopening a campus or other property serving students if the campus or other property is located within 1,500 feet of a facility providing navigation services. A school district board of trustees would be required to consult with the task force to meet these campus location requirements.

According to the Comptroller's office, the number of violations resulting in penalties that may occur is unknown, and the revenue impact of the bill cannot be determined.

The task force would have indeterminate costs associated with implementing the provisions of the bill.

Senate Bill 1, as engrossed, includes appropriations in the Texas Education Agency's bill pattern for a non-governmental entity to provide services, including services defined as navigation services under provisions of the bill, to students and their families at school facilities. It is unclear if the provision of these services would violate the prohibition in the bill against providing navigation services in a school safety zone.

Local Government Impact

Senate Bill 1, as engrossed, includes appropriations in the Texas Education Agency's bill pattern for a non-governmental entity to provide services, including services defined as navigation services under provisions of the bill, to students and their families at school facilities. It is unclear if the provision of these services would violate the prohibition in the bill against providing navigation services within 1,500 feet of a school safety zone.

The bill would prohibit an independent school district from locating a new campus or reopening a closed campus or other facility that provides services to students within 1,500 feet of a facility that provides navigation services, and would require a school district board of trustees to consult with the task force in order to ensure compliance with the prohibition.

The bill may create administrative and legal responsibilities for municipalities and counties that operate, fund, or coordinate with navigation service providers located near public schools or institutions of higher education. Local governments may be required to participate in or support the task force established under the bill, respond to public safety evaluations, or modify existing service arrangements to comply with proximity restrictions. Additionally, local entities that operate qualifying facilities may be subject to civil penalties or enforcement actions brought by the Office of the Attorney General if they violate the provisions of the bill.

Source Agencies: 300 Trusteed Programs Within the Office of the Governor, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 332 Department of Housing and Community Affairs, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 701 Texas Education Agency, 781 Higher Education Coordinating Board

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