

BILL ANALYSIS

S.B. 863
By: Blanco
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In response to the COVID-19 pandemic, it became necessary for residential child-care facilities to move children in their care to locations not included on the facility's license application in order to comply with public health orders to mitigate the spread of the virus. However, under current law, a license issued to certain child-care operations is not transferable and applies only to the operator and facility location stated in the license application. If the operation relocates, the license is automatically revoked.

It has been suggested that the lack of exceptions for a declared disaster could inhibit a facility's ability to respond quickly and appropriately to ensure the health and safety of the children in their facility during public health emergencies or other emergency circumstances, such as statewide power failures. S.B. 863 seeks to address this issue by authorizing the temporary relocation of a residential child-care facility to a location not in the facility's license application during a declared state of disaster.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 863 amends the Human Resources Code to authorize the Health and Human Services Commission to authorize a residential child-care facility, to the extent necessary to comply with a state or local order during a declared state of disaster, to temporarily relocate to a new location that is not stated in the facility's license application or to provide care to one or more children at an additional location that is not stated in that application.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.