

SUBJECT: Authorizing regulation of certain residential child detention facilities

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 8 ayes — Hunter, Dean, Geren, Guillen, Metcalf, Slawson, Smithee, Spiller

2 nays — S. Thompson, Turner

3 absent — Hernandez, Anchía, Raymond

SENATE VOTE: On final passage (April 20) — 30 - 1

WITNESSES: For — Sheena Rodriguez, Alliance for a Safe Texas (*Registered, but did not testify*: Alexa Aragonez, City of Houston, Mayor's Office; Hannah Gill, NAMI Texas)

Against — None

BACKGROUND: In 2021, Governor Abbott issued a disaster proclamation directing the Health and Human Services Commission to discontinue state licensing of child-care facilities under contract with the federal government that sheltered or detained individuals not lawfully present in the state.

Concerns have been raised that certain local governments cannot sufficiently regulate the zoning of residential child detention facilities no longer licensed by the state.

DIGEST: SB 572 would authorize a general-law municipality or a county in the unincorporated area of a county to designate an area in which a residential child detention facility could be located and take other measures necessary to protect the health and safety of individuals residing in a residential child detention facility.

A residential child detention facility would mean a private facility other than a facility licensed by the state that operated under a contract with the

United States Immigration and Customs Enforcement, the United States Department of Health and Human Services, or another federal agency to provide 24-hour custody or care to unaccompanied immigrant or refugee children.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.