

BILL ANALYSIS

Senate Research Center
84R7774 NC-D

H.B. 1558
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State Affairs
5/11/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In many communities, homeless shelters will not accept a homeless child. And because a church is considered a place of worship, zoning restrictions in municipalities can prohibit churches from providing overnight shelter to children.

H.B. 1558 would amend the Government Code to prohibit a municipality from adopting or enforcing ordinances that prohibit a church from providing overnight shelter to children 17 and under. Provisions in the bill clarify that a municipality may adopt or enforce an ordinance that relates to the safe and sanitary operations of an overnight shelter and may establish limits on the number of nights a child may use an overnight shelter.

H.B. 1558 seeks to assist homeless children by permitting churches to provide overnight shelter for children 17 and under.

H.B. 1558 amends current law relating to the authority of a municipality to regulate churches that provide overnight shelter for children.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 215, Local Government Code, by adding Section 215.006, as follows:

Sec. 215.006. CHURCH PROVIDING OVERNIGHT SHELTER. (a) Defines "church" and "religious organization."

(b) Prohibits a municipality from adopting an ordinance, or enforcing an existing ordinance, that prohibits a church from providing overnight shelter for children 17 years of age and younger.

(c) Provides that a municipal ordinance or regulation that relates to the safe and sanitary operation of a homeless shelter for children applies to a church that provides overnight shelter for children.

(d) Authorizes a municipality to adopt or enforce an ordinance establishing limits on the number of nights a child may use an overnight shelter provided by a church or on the number of children that can be housed in the shelter per night.

SECTION 2. Effective date: September 1, 2015.