

## **BILL ANALYSIS**

S.B. 764  
By: Huffman  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

While current statute allows the continued operation of certain child-care facilities and family homes during an appeal of a revocation or refusal to renew a license, certification, or registration unless the operation poses a risk to the health or safety of children, it is unclear whether continued operation of those facilities is allowed during the appeal of a suspension or denial of an applicable license, certification, registration, or listing. Recently, a child-care facility in Texas was denied a license to operate, but the district judge who was hearing the appeals case issued an injunction allowing the operation to continue during the appeal of the denial. S.B. 764 seeks to ensure the safety of children in these facilities until the appeal is resolved by prohibiting the operation of certain child-care facilities and family homes during such an appeal.

### **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. 764 amends the Human Resources Code to prohibit a person from operating a certain child-care facility or family home during an appeal of a suspension or denial of an applicable license, certification, registration, or listing.

### **EFFECTIVE DATE**

September 1, 2021.