

BILL ANALYSIS

Senate Research Center

S.B. 316
By: Madla
Health & Human Services
2-14-97
As Filed

DIGEST

Currently, a U.S. District Court Judge in Houston, Texas, interpreted Section 123.008, Human Resources Code, relating to the location requirement for community homes for disabled persons, as being permissive. This section provides that a community home may not be established within one-half mile of an existing community home. The legislature intended to prohibit establishment of a community home within one-half mile of an existing home. This bill provides that the establishment of such a home is prohibited within one-half mile of an existing community home instead of providing that it may not be established within the same amount of distance from an existing home.

PURPOSE

As proposed, S.B. 316 provides that establishment of a community home for disabled persons is prohibited within one-half mile of an existing community home.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 123.008, Human Resources Code, to prohibit the establishment of a community home within one-half mile of an existing community home.

SECTION 2. Provides that the purpose of this Act is to clarify the legislative intent behind Section 123.008, Human Resources Code, relating to the location requirement for community homes for disabled persons. Provides that the legislative intent was to prohibit the establishment of a community home within one-half mile of an existing community home.

SECTION 3. Emergency clause.
Effective date: upon passage.