

## **BILL ANALYSIS**

Senate Research Center  
77R7739 SGA-D

H.B. 1178  
By: Wohlgemuth (Zaffirini)  
Health & Human Services  
4/11/2001  
Engrossed

### **DIGEST AND PURPOSE**

Since 1991, the Texas Department of Protective and Regulatory Services (PRS) has been charged with regulating out-of-home child care services. In 1996, the Sunset Advisory Commission reviewed PRS, and in 1997, the Texas Legislature reenacted its functions with some modifications and amendments in Senate Bill 359. During the same session, the licensing provisions of PRS were updated in Senate Bill 1539. To ensure the passage of the licensing updates, the provisions of the licensing bill were amended to the Sunset bill. Also that session, H.B. 155 addressed services provided in a caretaker's home for the care of one to three children and created a new category of child care known as Listed Family Homes. When all three bills passed amending the same sections of code and addressing the same provisions, they created duplicate and conflicting language. In order to give effect to all three pieces of legislation passed in the 75th Session, the duplicate provisions need to be eliminated and other sections require clarification. H.B. 1178 eliminates duplicate sections and clarifies the remaining provisions of child care licensing law to be consistent with the three bills previously enacted.

### **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. Reenacts Section 42.001, Human Resources Code, as amended by Chapters 664 and 1063, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 2. Reenacts Section 42.002(3), Human Resources Code, as amended by Chapters 1022 and 1063, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 3. Reenacts Section 42.041(b), Human Resources Code, as amended by Chapters 1063 and 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 4. Reenacts Section 42.042(g), Human Resources Code, as amended by Chapters 1063 and 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 5. Reenacts Section 42.044(c), Human Resources Code, as amended by Chapters 1022 and 1063, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 6. Reenacts Section 42.052(c), Human Resources Code, as amended by Chapters 1022, 1063, and 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 7. Reenacts Section 42.052(f), Human Resources Code, as amended by Chapters 1022, 1063, and 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 8. Repealer: Section 42.052(j), Human Resources Code, as added by Chapter 1217, Acts

of the 75th Legislature, Regular Session, 1997.

SECTION 9. Repealer: Section 42.057, Human Resources Code, as added by Chapter 1022, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 10. Repealer: Section 42.057, Human Resources Code, as added by Chapter 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 11. Reenacts Section 42.072(d), Human Resources Code, as amended by Chapters 1022, 1063, and 1217, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 12. Effective date: upon passage or September 1, 2001.