

BILL ANALYSIS

Senate Research Center
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S.B. 503
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 503 amends Chapter 260 of the Health and Safety Code by adding Section 260.0091. Section 260.0091 creates a Class A misdemeanor offense for a person who knows a resident is being abused, neglected, or exploited in a building they own that is being used as a boarding home and fails to report that abuse to the Department of Family and Protective Services.

Boarding homes and assisted living facilities house many vulnerable people who are subject to abuse and mistreatment. Last year in Harris County, 35 people in a group home were found without food or medication. At least two people were taken to the hospital and another person was treated at the scene with a visible, gaping wound to the abdomen.

S.B. 503 seeks to help protect residents in boarding homes by requiring the people who own the building that houses the residents to report abuse. S.B. 503 only applies to counties or municipalities that do not require a person to obtain a permit to operate a boarding home facility.

As proposed, S.B. 503 amends current law relating to creating the criminal offense of failing to report abuse, neglect, or exploitation in boarding home facilities in certain counties and municipalities.

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 Chapter 260, Health and Safety Code, by adding Section 260.0091, as follows:

Sec. 260.0091. REPORTING OF ABUSE, NEGLECT, OR EXPLOITATION IN CERTAIN COUNTIES AND MUNICIPALITIES; CRIMINAL PENALTY. (a) Provides that this section applies only to a county or municipality that does not require a person to obtain a permit from the county or municipality to operate a boarding home facility, as authorized by Section 260.004 (Local Regulation).

(b) Provides that a person commits an offense if the person:

(1) leases to another a building owned by the person that is being operated as a boarding home facility in a county or municipality to which this section applies;

(2) has actual knowledge that a resident of the boarding home facility is being or has been abused, neglected, or exploited; and

(3) fails to report the abuse, neglect, or exploitation to the Department of Family and Protective Services for investigation by that agency.

(c) Provides that an offense under this section is a Class A misdemeanor.

SECTION 2. Effective date: September 1, 2021.