

By: Hughes, Perry

(In the Senate - Filed February 22, 2017;
 March 6, 2017,
 read first time and referred to Committee on
 Veteran Affairs &
 Border Security; May 1, 2017, reported adversely,
 with favorable
 Committee Substitute by the following vote: Yeas
 4, Nays 3;
 May 1, 2017, sent to printer.)

[Click here to see the committee vote](#)

COMMITTEE SUBSTITUTE FOR
 S.B. No. 1018

By: Hall

A BILL TO BE ENTITLED
 AN ACT

relating to the licensing of family residential centers by the
 Department of Family and Protective Services and the detention of
 certain juveniles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 42, Human Resources Code,
 is amended by adding Section 42.0538 to read as follows:

Sec. 42.0538. FAMILY RESIDENTIAL CENTERS. (a) In this
 section, "family residential center" means a facility that:

(1) is operated by or under a contract with United
 States Immigration and Customs Enforcement to enforce federal
 immigration laws;

(2) houses children with a parent or other adult
 family member who remains with the child at the center or children
 who are not accompanied by a parent or other adult family member;
 and

(3) provides care for children for at least part of a
 day.

(b) Except as provided by Subsection (c), the department
 shall license a family residential center in the same manner as the
 department licenses a general residential operation under this
 chapter.

(c) The executive commissioner by rule may exempt a family
 residential center from any minimum standard or rule applicable to
 a general residential operation as the executive commissioner
 determines necessary to:

(1) allow members of a family to remain together in the
 same living space;

(2) allow a child's parent or other adult family member
 who is housed with the child to supervise and care for the child at
 the family residential center; or

(3) operate the family residential center.

(d) Subsection (c) does not prohibit the department from
 granting a waiver or variance on a case-by-case basis as authorized
 by other law.

(e) This section does not waive sovereign immunity or create
 a cause of action.

(f) This section expires September 1, 2019.

SECTION 2. This Act takes effect immediately if it receives
 a vote of two-thirds of all the members elected to each house, as
 provided by Section 39, Article III, Texas Constitution. If this
 Act does not receive the vote necessary for immediate effect, this

Act takes effect September 1, 2017.

* * * * *