

## CHAPTER 212

## H.B. No. 346

An Act relating to the registration, licensing, and regulation of a child-care facility, child-placing agency, or registered family home.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 42.046(a), Human Resources Code, is amended to read as follows:

(a) An applicant for a license to operate a child-care facility or child-placing agency shall submit to the division *the appropriate fee prescribed by Section 42.054 of this code, and a completed application on a form provided by the division.*

**SECTION 2.** Section 42.052(c), Human Resources Code, is amended to read as follows:

(c) A registered family home must be registered with the division. *The registration must be renewed every two years. The operator of a registered home must display the registration in a prominent place at the home.*

**SECTION 3.** Chapter 42, Human Resources Code, is amended by adding Sections 42.054 and 42.055 to read as follows:

*Sec. 42.054. FEES. (a) The division shall charge a nonrefundable application fee of \$25 to an applicant for an initial license to operate a child-care facility or child-placing agency.*

*(b) The division shall charge each child-care facility a fee of \$25 for a provisional license. The division shall charge each child-placing agency a fee of \$50 for a provisional license.*

*(c) The division shall charge each child-care facility an annual license fee in the amount of \$40 for each child-care facility plus \$1 for each child the child-care facility is permitted to serve, except that the total fee may not exceed \$150. The fee is due on the date on which the division issues the child-care facility's license and on the anniversary of that date.*

*(d) The division shall charge each child-placing agency an annual license fee of \$100. The fee is due on the date on which the division issues the child-placing agency's license and on the anniversary of that date.*

*(e) The division shall charge each registered family home an annual registration fee of \$15. The fee is due on the date on which the division registers the home and on the anniversary of that date.*

*(f) If a facility, agency, or home fails to pay the annual license or registration fee when due, the license or registration is suspended until the fee is paid.*

*(g) The provisions of Subsections (b) through (f) do not apply to:*

*(1) licensed foster family homes and licensed foster family group homes;*

*(2) nonprofit facilities regulated under this chapter that provided 24-hour care for children in the managing conservatorship of the department during the 12-month period immediately prior to the anniversary date of the facility's license.*

*Sec. 42.055. USE OF FEES. The child-care training fund is established as a special fund in the state treasury, and the division shall deposit fees received under this subchapter to the credit of that fund. The child-care training fund may be used only to provide programs of parent education and caretaker training designed to ensure the health, safety, and well-being of children. Up to three percent of the amount collected as fees under the authority of this chapter may be used by the department for actual costs of collecting the fees and administering the fund.*

**SECTION 4.** This Act takes effect September 1, 1985.

**SECTION 5.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 24, 1985, by a non-record vote; passed by the Senate on May 13, 1985, by a viva-voce vote.

**CH 212**

**69th LEGIS—REGULAR SESSION**

Approved: May 25, 1985

Effective: September 1, 1985

1078