

CHAPTER 1115

S.B. No. 1255

AN ACT

relating to emergency shelter and care for minor mothers who are the sole financial support of their natural children.

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

SECTION 1. Chapter 35, Family Code, is amended by adding Section 35.05 to read as follows:

*Sec. 35.05. EMERGENCY SHELTER FOR MINOR MOTHERS. (a) An emergency shelter facility may provide shelter and care to a minor mother, married or unmarried, not emancipated by court order, and not accompanied by a parent, who is the sole financial support of her natural child or children.*

*(b) An emergency shelter facility may provide shelter or care authorized under Subsection (a) only during an emergency constituting an immediate danger to the physical health or safety of the minor mother or her child or children. Such shelter*

*or care may not extend beyond 15 days unless the facility receives consent to continue services from a parent or guardian of the minor mother or the minor mother has qualified for Aid to Families with Dependent Children under Chapter 31, Human Resources Code, and her name is on the waiting list for housing assistance.*

SECTION 2. Subsection (b), Section 42.041, Human Resources Code, as amended, is amended to read as follows:

(b) This section does not apply to:

- (1) a state-operated facility;
- (2) an agency home;
- (3) a facility that is operated in connection with a shopping center, business, religious organization, or establishment where children are cared for during short periods while parents or persons responsible for the children are attending religious services, shopping, or engaging in other activities on or near the premises, including but not limited to retreats or classes for religious instruction;
- (4) a school or class for religious instruction that does not last longer than two weeks and is conducted by a religious organization during the summer months;
- (5) a youth camp licensed by the Texas Department of Health;
- (6) a hospital licensed by the Texas Department of Mental Health and Mental Retardation or the Texas Department of Health;
- (7) an educational facility accredited by the Central Education Agency or the Southern Association of Colleges and Schools that operates primarily for educational purposes in grades kindergarten and above;
- (8) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;
- (9) a kindergarten or preschool educational program that is operated as part of a public school or a private school accredited by the Central Education Agency, that offers educational programs through grade six, and that does not provide custodial care during the hours before or after the customary school day;
- (10) a registered family home; ~~or~~
- (11) an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours maximum per day, and that offers educational programs for children age five and above in one or more of the following: kindergarten through at least grade three, elementary, or secondary grades; *or*
- (12) *an emergency shelter facility providing shelter to minor mothers who are the sole support of their natural children under Section 35.05, Family Code, unless the facility would otherwise require a license as a child-care facility under this section.*

SECTION 3. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 29, 1987, by the following vote: Yeas 29, Nays 0. Passed the House on May 22, 1987, by the following vote: Yeas 148, Nays 0, one present not voting.

Approved June 19, 1987.

Effective June 19, 1987.