

1-1 By: Miles S.B. No. 1137
1-2 (In the Senate - Filed February 6, 2025; February 24, 2025,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; April 14, 2025, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; April 14, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to group home consultant referrals; creating a criminal
1-20 offense.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 769, Health and Safety Code, as added by
1-23 Chapter 141 (S.B. 188), Acts of the 88th Legislature, Regular
1-24 Session, 2023, is redesignated as Chapter 767, Health and Safety
1-25 Code, and amended to read as follows:

1-26 CHAPTER 767 [~~769~~]. REGULATION OF CERTAIN GROUP HOMES

1-27 Sec. 767.001 [~~769.001~~]. DEFINITION. In this chapter,
1-28 "group home" means an establishment that:

1-29 (1) provides, in one or more buildings, lodging to
1-30 three or more residents who are unrelated by blood or marriage to
1-31 the owner of the establishment; and

1-32 (2) provides those residents with community meals,
1-33 light housework, meal preparation, transportation, grocery
1-34 shopping, money management, laundry services, or assistance with
1-35 self-administration of medication but does not provide personal
1-36 care services as defined by Section 247.002.

1-37 Sec. 767.002 [~~769.002~~]. EXEMPTIONS. This chapter does not
1-38 apply to:

1-39 (1) a person who holds a license issued under Chapter
1-40 142, 242, 246, 247, or 252;

1-41 (2) a person, establishment, or facility exempt from
1-42 licensing under Section 142.003(a)(19), 242.003(3), or 247.004(4);

1-43 (3) a hotel as defined by Section 156.001, Tax Code;

1-44 (4) a retirement community;

1-45 (5) a monastery or convent;

1-46 (6) a child-care facility as defined by Section
1-47 42.002, Human Resources Code;

1-48 (7) a family violence shelter center as defined by
1-49 Section 51.002, Human Resources Code; or

1-50 (8) a sorority or fraternity house or other dormitory
1-51 associated with an institution of higher education.

1-52 Sec. 767.003 [~~769.003~~]. CRIMINAL HISTORY RECORD
1-53 INFORMATION REQUIREMENT FOR APPLICANTS AND EMPLOYEES; CRIMINAL
1-54 PENALTY. (a) An owner or operator of a group home shall obtain
1-55 criminal history record information maintained by the Department of
1-56 Public Safety of the State of Texas on each individual who is an
1-57 applicant for employment with or an employee of the group home.

1-58 (b) An owner or operator of a group home may not hire or
1-59 continue to employ an individual for whom the owner or operator
1-60 obtains criminal history record information on the applicant's or
1-61 employee's conviction of an offense under Chapter 19, 20, 20A, 21,

2-1 22, 25, 28, 29, 30, 31, 32, 33, 33A, 34, 35, 35A, or 71, Penal Code,
2-2 or Section 48.015, 48.02, 48.03, or 48.04, Penal Code, or any other
2-3 offense punishable as a Class A misdemeanor or a felony.

2-4 (c) An owner or operator of a group home who violates
2-5 Subsection (b) commits an offense. An offense under this section is
2-6 a Class A misdemeanor.

2-7 Sec. 767.004. GROUP HOME CONSULTANT REFERRALS; CRIMINAL
2-8 PENALTY. (a) In this section, "group home consultant" means a
2-9 person with knowledge of group homes who:

2-10 (1) refers potential residents of a group home to
2-11 specific group homes; and

2-12 (2) collects compensation for the referral.

2-13 (b) Except as provided by Subsection (c) and subject to
2-14 Subsection (d), a group home consultant may not refer a potential
2-15 resident to a group home operated by a person who does not hold a
2-16 license or permit for the group home issued in accordance with
2-17 applicable state laws or local regulations.

2-18 (c) Subject to Subsection (d), a group home consultant may
2-19 refer a potential resident to an unlicensed or unpermitted group
2-20 home only if:

2-21 (1) no group home is licensed or permitted to operate
2-22 in the geographic region where the potential resident desires to
2-23 reside; or

2-24 (2) the potential resident or potential resident's
2-25 family cannot afford the cost of residing in a licensed or permitted
2-26 group home referred by the group home consultant in the region where
2-27 the potential resident desires to reside.

2-28 (d) Before referring a potential resident to an unlicensed
2-29 or unpermitted group home, a group home consultant must inform the
2-30 potential resident of any complaints against the group home of
2-31 which the consultant has actual knowledge.

2-32 (e) A group home consultant who violates this section
2-33 commits an offense. An offense under this section is a Class B
2-34 misdemeanor.

2-35 SECTION 2. This Act takes effect September 1, 2025.

2-36 * * * * *