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AN ACT

relating to the placement of electronic monitoring devices in the rooms of certain residents in assisted living facilities.

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

SECTION 1. Section 247.003, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and (c), Chapter 242 does not apply to an assisted living facility licensed under this chapter.

(c) Except as provided by this subsection, Subchapter R, Chapter 242, applies to an assisted living facility, and the department shall administer that subchapter for an assisted living facility in the same manner it is administered and enforced for a nursing home, but shall enforce that subchapter in accordance with the sanctions authorized by this chapter. Sections 242.851 and 242.852 do not apply to an assisted living facility or to conduct within an assisted living facility.

SECTION 2. The Texas Board of Human Services shall adopt rules necessary to administer Subsection (c), Section 247.003, Health and Safety Code, as added by this Act, not later than January 1, 2004.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.

David Newburn
President of the Senate

Jim Caldwell
Speaker of the House

I hereby certify that S.B. No. 1012 passed the Senate on April 25, 2003, by the following vote: Yeas 29, Nays 0.

Patrycya Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1012 passed the House on May 9, 2003, by the following vote: Yeas 127, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

27 MAY '03
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:52 AM O'CLOCK
MAY 28 2003
Lucretia Shea
Secretary of State