

HEALTH AND SAFETY CODE

TITLE 9. SAFETY

SUBTITLE B. EMERGENCIES

CHAPTER 786. SENIOR RETIREMENT COMMUNITIES

Sec. 786.001. DEFINITIONS. In this chapter:

(1) "Common amenity" means an amenity or service offered or provided to residents of a multiunit residential property.

(2) "Resident" means an individual who resides in a senior retirement community as a unit owner or tenant.

(3) "Senior retirement community" means a residential community or a portion of a residential community:

(A) described by Section 301.043, Property Code;

(B) that contains not fewer than 20 residential units in one or more multiunit buildings that are available to own, rent, or lease; and

(C) that provides common amenities.

(4) "Senior retirement community contract" means a contract with a resident of a senior retirement community for providing a common amenity to the resident.

(5) "Unit" means a physical portion of a residential property designated for separate ownership or occupancy.

Added by Acts 2025, 89th Leg., R.S., Ch. 495 (S.B. 1283), Sec. 1, eff. September 1, 2025.

Sec. 786.002. EXEMPTIONS. This chapter does not apply to:

(1) a health care institution as defined by Section 74.001, Civil Practice and Remedies Code;

(2) a boarding home facility as defined by Section 260.001 that holds a permit issued under Chapter 260;

(3) a supportive housing facility for elderly individuals operated under Section 202, the National Housing Act (12 U.S.C. Section 1701q);

(4) a center for independent living as defined by Section 702 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 796a); or

(5) any other facility that is regulated by the Health and Human Services Commission or in accordance with rules adopted by the Centers for Medicare and Medicaid Services.

Added by Acts 2025, 89th Leg., R.S., Ch. 495 (S.B. [1283](#)), Sec. 1, eff. September 1, 2025.

Sec. 786.003. REQUIREMENTS RELATING TO RESIDENT SAFETY FROM CRIMINAL ACTIVITY. (a) A senior retirement community shall:

(1) conduct for each retirement community employee a criminal history record check using the computerized criminal history system maintained by the Department of Public Safety of the State of Texas;

(2) disclose in the senior retirement community contract whether the retirement community requires each business hired by the retirement community to provide services at the retirement community to conduct a criminal history record check of each of the business's employees who will provide services at the retirement community; and

(3) maintain a resident safety and communications policy regarding criminal activity that poses a risk to residents, which must require the retirement community to send to each resident and post in a conspicuous manner at a location on the retirement community premises where the retirement community posts other community notices a written notice containing information on:

(A) known reports of potential criminal activity made to law enforcement from or at the retirement community not later than two business days after the date the report is made; and

(B) known instances of criminal trespassing at the retirement community not later than two business days after the trespassing is reported or occurs.

(b) For purposes of providing notice under the policy adopted by a senior retirement community under Subsection (a)(3) relating to a reportable incident described by that subdivision, the retirement community:

(1) may provide for the removal of the personal identifying information of an individual who is involved in the reportable incident to prevent the individual's identification;

and

(2) may not refuse to provide the notice based solely on concerns related to the disclosure of the individual's personal identifying information.

(c) A senior retirement community may not be held civilly or criminally liable for the retirement community's compliance with Subsection (a)(1) or (3).

(d) A senior retirement community may not:

(1) prevent or inhibit a resident from or penalize a resident for communicating with a law enforcement officer, social worker, family member, or other interested person regarding the safety and security of the retirement community; or

(2) prevent a law enforcement officer or court officer from entering a common area of the retirement community to conduct a voluntary interview with a resident as part of an investigation into criminal activity at the retirement community.

Added by Acts 2025, 89th Leg., R.S., Ch. 495 (S.B. [1283](#)), Sec. 1, eff. September 1, 2025.