

New Requirements Regarding Gang-Free Zones **For Child Care Centers**

As a result of House Bill 2086 that passed during the 81st Legislature, Regular Session, Chapter 42 of the Human Resource Code will be amended to include Section §42.064 requiring that information about gang-free zones be distributed to parents and guardians of children in care at licensed child care centers. The following is a tip sheet to assist in complying with the new law. This information may be posted at your child care operation or copies may be provided to parents.

What is a gang-free zone?

A gang-free zone is a designated area around a specific location where certain gang related activity is prohibited and is subject to increased penalty under Texas law. Specific locations where certain gang related criminal activity is now prohibited include, but are not limited to, public schools, playgrounds, video arcade facilities, and day care centers.

The area that falls within a gang-free zone can vary depending on the type of location. For example, certain gang-related criminal activity that occurs within 300 feet of a video arcade facility is a violation of the new law, whereas certain gang-related criminal activity that occurs within 1000 feet of a school or day care center is a violation of the law.

How do parents know where the gang-free zone ends?

The gang-free zone is within 1000 feet of your child care program. Maps may be produced for the purposes of prosecution and may be updated by the local municipal or county engineer. Parents may contact their local municipality to attempt to obtain a copy of the map if they choose to do so.

Why are gang-free zones needed?

Similar to the motivation behind establishing drug-free zones, the goal of gang-free zones is to deter certain types of criminal activity in areas where children gather by enforcing tougher penalties.

What does this mean for my day care center?

Child care providers are required to inform parents or guardians of children attending their center about the new gang-free zone designation. This means parents or guardians need to be informed that certain gang-related criminal activity or engaging in organized criminal activity within 1000 feet of your program is a violation of this law and is therefore subject to increased penalty.

When do I have to comply with the new requirements?

The law is already in effect and providers should begin sharing information regarding gang-free zones immediately. Licensing staff will be offering technical assistance to facilitate compliance until rules are proposed and adopted, which is estimated to occur in March 2010. In the meantime, providers may want to update their operational policies and procedures to include information mandated by this law.

For further information please contact your licensing representative or your local licensing office.