

By: Howard

H.B. No. 98

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of a business to implement certain
3 communicable disease prevention and control policies.

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

5 SECTION 1. Subchapter A, Chapter 81, Health and Safety
6 Code, is amended by adding Section 81.018 to read as follows:

7 Sec. 81.018. AUTHORITY OF BUSINESS TO IMPLEMENT CERTAIN
8 COMMUNICABLE DISEASE PREVENTION AND CONTROL POLICIES. (a) In this
9 section, "COVID-19" means the 2019 novel coronavirus disease.

10 (b) Notwithstanding any other law, a business in this state
11 may implement a policy that requires an individual to wear a face
12 mask or covering or to provide proof of vaccination or immunization
13 against a particular communicable disease, including COVID-19, for
14 the individual to obtain a service provided by or gain access to an
15 establishment owned or operated by the business.

16 (c) A state agency may not suspend or revoke a business's
17 license, permit, or other state authorization necessary for
18 conducting business in this state or take any other disciplinary
19 action against a business for implementing a policy described by
20 Subsection (b).

21 SECTION 2. Sections 161.0085(c) and (d), Health and Safety
22 Code, are repealed.

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

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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 on the 91st day after the last day of the
4 legislative session.