

By: Eckhardt, et al.

S.B. No. 40

A BILL TO BE ENTITLED

AN ACT

relating to the implementation by public schools of certain COVID-19 public health orders issued by a health authority.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0023 to read as follows:

Sec. 38.0023. REQUIRED IMPLEMENTATION OF CERTAIN COVID-19 PUBLIC HEALTH ORDERS. (a) In this section, "health authority" has the meaning assigned by Section 81.003, Health and Safety Code.

(b) Notwithstanding any other law, a school district shall implement or otherwise comply with health directives outlined in a public health order issued by a health authority with jurisdiction over territory in which the district is wholly or partly located regarding evidence-based practices to reduce or eliminate the transmission of or infection with COVID-19 among district students and staff, including directives requiring the students and staff to wear face masks or face coverings.

SECTION 2. Section 38.0023, Education Code, as added by this Act, applies only to a public health order issued by a health authority on or after the effective date of this Act.

SECTION 3. This Act takes effect January 1, 2022.